A DEFENCE OF THE IVDGMENT OF THE Reformed churches. That a man may lawfullie not onelie put awaie his wife for her adulterie, but also marrie another.

Wherin both Robert Bellarmin *the Iesuits Latin treatise, and an English pamphlet of a nameleſſe author mainteyning the contrarie are confuted by* Iohn Raynolds.

A taſte of *Bellarmins* dealing in controverſies of Religion: how he depraveth Scripturs, miſalleageth Fathers, and abuſeth Reaſõs to the perverting of the truth of God, and poyſoning of his Church with errour.

The faultes eſcaped in the firſt impreſſion, are here in this carefully corrected by the Printer. *Fare-well.*

Printed by George Walters, 1610.

The Preface to the Reader.

GOod Reader, my love & reverẽce to the author living, and to his memorie being dead: & my desire to serve the church of God by other mens woorks, who am not able to doe it by myne owne: have moved me to publiſhe this learned treatiſe, which Doctor *Rainolds* left (as many other exquiſit travels of his) ſhutt vp in the cloſett of ſome private frends as in a fayre priſon.

Becauſe my teſtimonie (or any mans I know) is of much leſſe waight then the onely name of the author to cõmend the woorke, I will ſay nothing more in praiſe of it, then that it is an vndoupted woorke of that worthie & holy man, whoſe learning, dilligence, abilleties, meeknes, wiſdõ, & pietie made him eminent to vs, & may perhaps

perhaps yeeld him more admirabe to poſterity, which without envie of his perſon ſhal view the marcks of theis graces in hiis writings, or take them by ſtory.

Touching the argument I will onely ſay, that it ſeemeth the more worthy ſuch a mans reſolution, by how much it hath been formerly, or preſenly is cõtroverted amongſt the learned. And if any man be cõtraie minded to this, which is the cõ mon judgement of the reformed Church es, he (above others) ſhalbe my debttor, for helping him to ſo good a means fo reforming himſelfe: In matters of opinion (chiefly divine) he that conquereth & he that is conquered devide both honor and proffit.

If anie man take good by it, let him give praiſe to God, if *he* take none, let *him* blame none but *himſelfe*.

The next Page will ſhew the contents & order of the booke, the booke it ſelfe will ſhew thee how goode it is, *Fare-well*,

THE CONTENTS OF THE CHAPTERS.

The first Chapter.

The ſtate of the queſtion betwene the church of Rome, & the reformed churches being firſt declared, the truth is proved by ſcripture: That a man having put away his wife for her adulterie may lawfully marrie another.

The ſecond Chapter.

The places of ſcripture alleaged by our adverſaries to diſprove the lawful liberty of marriage after divorcemẽt for adulterie are propoſed, exãined, & proved not to make againſt it.

The third Chapter.

The cõſent of Fathers, the ſecond pretẽded proofe for the Papiſtes doctrine in this point, is prtẽded falſly: & if all be weighed in an even balance, the Fathers checke it rather.

The fourth Chapter.

The conceits of reaſõs urged laſt againſt vs are ouerſights proceeding from darkneſſe, not from light: & reaſon it ſelf, diſpelling the miſt of Popiſh probabilties, giveth cleare teſtimonie with the truth of Chriſte.

OF THE LAWFVLNES OF MARIAGE VPPON A LAWFVL DIVORCE.

THE FIRST CHAPTER.

The ſtate of the Queſtion beeing firſt declared the truth is proved by ſcripture: that a man having put away his wife for her adulterie may lawfully marrie another.

THE dutie of man and woman ioyned in marriage, requireth that[a] they two ſhould be as one perſon, & cleave each to other with mutuall love & liking in ſociety of life, until it pleaſe God, who hath coupeled them together in this bond, to ſet them free from it, and to diſſociate & ſever them by death. But the inordinat fanſies & deſires of our corrupt nature have ſo inveigeled *Adams* ſeede in manie places, that men have accuſtomed to put awaie their wives vppon every triſling miſlike & diſcontentement: yea Ieuwes ſuppoſed theſelves to be warranted by Gods[b] lawe to doe it, ſo that whoſoever put away his wife gave her a bill of divorcement. This perverſe opinion & errour of theirs our Saviour *Chriſt* reproved teaching that divorcements may not be made for any cauſe ſave whoredome onely. For *whoſoever* (ſaith he) *ſhall put away his wife except it be for whoredom, and ſhall marry another doth commit adultrie and whoſo marrieth her which is put away, doth comit adulterie.* Now about the meaning of theſe wordes of *Chriſt* expreſſed more fully by by on of the[c] Euangeliſts, by[d] others more ſparingly, there hath a doubt ariſen: and diverſe men even from the primative churches time have been of diverſe mindes.

a Gene. 2. To Mat 19. 5.

b Deu 24. 1 Mat. 5. 31.

c Matth. 19 d Mar. 10 Luk. 6. 18.

For many of the Fathers have gathered thereupon, that if a mans wife cõmitted whoredom & fornication, he might not onely put her away, but marrie another. Some others, and among them namely S. *Auſtine*, have thought that the man might put away his wife but marrie another he might not,

The Scholedevins of later years, & the Canonists, as for most parte they were al adicted to *S. Austins* iudgment, did likewise follow him herein & the Popes mainteining their doctrine for Catholique, have possessed the Church of Rome with this opinion. But since in our daies the light of good learning both for artes and tongues hath shyned more brightly by Gods most gratious goodnes then in the former ages, and the holly scriptures by the helpe thereof have been the better understood: the Pastors & Doctors of the reformed churches have percieved & shewed, that if a mans wife defile her selfe with fornicatiō, he may not onely put her away by Christs doctrine but also marrie another. Wherein that they teach agreeably to the truth, and not erroneously, as Iesuits & Papists do falsly charge them. I will make manifest & prove (through Gods assistance) by expresse words of Christ, the truth it selfe. And because our adversaries doe weene that the cōtrarie hereof is strongly proved by sundrie arguements & obiections, which two of their newest writers *Bell.* the Iesuit & a nameless author of an English panphlet, have dilligenely laied together; For the farther clearing therefore of the matter, & taking awaie of doubts & scruples, I will set downe al there obiectiōs in order, first out of the scriptures, then of fathers, last of reasons and answer everie one of them particularly. So shall it appeaae to suh as are not blinded with a fore conceived opinion & preiudice, that whatsoever shew of prbabilities are brought to the contrarie, yet the truth deliverd by our Saviour Christ alloweth him whose wife committeth fornication, to put her away, and to marrie another

cMat. 19, 1. The proofe hereof is evidnnt if the words of Christ be waied in the nienteuth Chapter af S, *Mat.* gospel For when the Pharises asking him a question, whether it were lawfull for a man to put away his wife for every catse, recieved answer that it was not, and thereupon saide unto him, *Why did* Moses *commande to give a bill of divorcement and to put her away: Our Saviouer sayde unto them*; Moses *suffered you becaase of the hardnes of your harte to put awaye your wifes: But from the beginning it was not so. And I say vnto you, that, whosoever, shal put away his wife, except it bee for whoredom, and shall marrie another, doth comit adultery: and Who so marrieth her that is put awaie, doth comit adultery.*

Now this in sentēce, the clause of exception [*except it be for whoredom*] doth argue that he committeh not adulterie, who, having put away his wife for whoredom marrieth another.

Rom. 7. 2 ver. 3. But hee must needs commit it in doeing so unlesse the bande of marriage bee loosed and dissolved. For who so marrieth another as long as he is bound to the former, is an adulterer, The band then of marriage

riage is looſed & diſſolved betwene that man & wife who are put aſſunder and divorced for whoredome.

And if the band be looſed, the man may marry another: ſeing it is written [h] *Art thou looſed from a wife? If thou marrie thou ſinneſt not.* Therefore it is lawfull for him who hath put away his wife for whoredome to marrie another,

[h] Cor. 7. 27. Deut. 24. vers. 28.

This argument doth firmly and neceſſarily conclude the point in queſtion, if the firſt parte and propoſition of it be proved to be true. For there is no controverſie of any of the reſt: beinge all grounded on ſuch vndoubted principles of ſcripture and reaſon, that our adverſaries themſelves admit and graunt them all.

[k] Bellarmin Tom. 2 contr. 4 libr. de matrimonio, lib. 1. cap. 15. & 16. et. 7. The Pamphletter in his tetratation of the diſcourſe touching the lawfulneſſe of marriadge after divorce for whoredome.

The firſt [k] they denie to weete that the clauſe of exception in *Chriſts* ſpeech [*except it be for whordome*] doth argue that the mā commiteth not adulterie, who, having put awaie his wife for whoredome, marrieth another, And to overthrowe t his propoſition, they doe bring foudry anſwers and evaſions, The beſt of all which as *Bellarmin* avoucheth, is, that thoſe words [*except it be for whoredome*] are not an exception, *For* Chriſt (ſaith he) *meant thoſe words* [1] [except for whoredome] *not as an exception, but as a negation. So that the ſence is Whoſoever ſhall put awaie his wife, except for whoredome, that is to ſaie* [2] *without the cauſe of whoredome, & ſhall marrie another doth cōmit adulterie. Whereby it is affirmed that he is an adulterer who having put awaie his wife without the cauſe of whoredome, marrieth another: but nothing is ſayde touchinge him who marrieth another, having put away his former wife for whoredome.* In deede this evaſion might have ſome colour for it if theſe words of *Chriſt* [*except it be for Whoredome*] were not an exception. But neither hath *Bellarmin* ought that may ſuffice for the proofe hereof and the verie text of the ſcripture it ſelfe is ſoe cleare againſt him, that he muſt of neceſſitie give over his houlde. For the principal pillar wherewith he vnderproppeth it, is S. *Auſtins* iudgemēt who hath ſoe expounded it in his firſt booke touching adulterous marriages. Now of that treatiſe S. *Auſtin* ſaith himſelfe in his retractatiōs *I have writte two bookes touching adulterous mariages, as neere as I could according to the ſcriptuers being deſirous to open & looſe the knotts of a moſt difficult queſtion. Which whether I have done ſoe that no knott is left therein, I know not: nay rather I perceave that I have not done it perfectly, and throughly, al though I have opened many creeckes there of, as whoſoever readeth with iudgment may diſcerne.* S. *Auguſtin* then a knowledgeth that there are ſome wants and imperfections in that worke which they may ſee who reade with iudgment. And whether this that *Bellarmin* doth alleage out of it, deſerve not to fal within the compaſſ of that cenſure I appeale to their iudgment who have eies to ſee: For S. *Auguſtin* thought

[1] Niſi ob fornicationem.
[2] Extra conſſornicationis.

[De adulteriis conjug lib. 2 cap 9.
[m] Retract at lib. 2. cap. 57.

that the worde in the original of S. *Math.* gospel, had, by the proper signification of it, imported a negation rather then an exception. And he sheweth by saying *that where the Latin translation hath* [*except for whoredom*] *in the Greeke text it is rather read, without the cause of whoredom.*

Supposing belike (whether by slipp of memory or rather oversight) that the same words, which were used before in the fift Chapter of S. *Math.* Gospel to the same purpose, were used also in this place: wher as here they differ, and are wel expressed by that in the latin by which S. *Austin* thought they were not so wel. Howbeit, if they had been the same with the former: yet neither so might *Bell.* allowe his opinion; considering that the cõmon latin translation (which Papists by their Councel of Trent are bound to stand to under payne of curse) expresseth those likewise as a plaine exception.

Which in deede agreeth to the right and natural meaning of the particle, as the like writers use it in like construction: even then to, whē it hath as it were a link lesse to tie it unto that meaning. Wherefore S. *Austins* mistaking of the worde & signification thereof is noe sufficient warrant for *Bell.* to ground on, that they must be taken so. As for that he addeth, that, albeit both these particles be taken exceptively ofter times, yet may they also be taken otherwise, sith on of them is used in the Revelatiõ *as an adversative not an exceptive*: this maketh much lesse for proofe of his assertion. For what if it be used there as an *adversative* where the matter treated of, & the tenour of the sentence doe manifestly argue that it must be taken so? Must it therefore be taken so in this place, whereof our question is? or doth *Bellar.* prove by any circumstance of the text, that here it may be taken so? No. Neither saith he a worde to this purpose. Why mencioneth he then that it may be taken otherwise, and is in the Revelaton, for an adversative particle? Truly I know not unlesse it be to shew that he can wrangle, and plaie the cavelling sophister in seeming to gainsay & disprove his adversarie, when in truth he doth not. Or perhaps, though he durst not say for the particular, that it is takē here as an adversative, which he could not but most absurdly. Yet he thoughht it policie to breed a surmise therof for the generall, that shallower conceits might imagin another sence therein, they knew not what; and they whose brasen faces should serve them, thereto, might impudently brable, that our sence is not certaine because another is possible, evē as a Jew being pressed by a Christiā with the place of *Esay, Behoulde a virgin shall conceive, and bring forth a Sonne* should answer that the *Hebrue* worde translated *Virgin*, may be taken otherwise sith that in the Proverbs it signifieth a married womā: at least one that is not a Virgin in deede though she would seeme to be

Bats-

a De adulter. conjug. lib. 1. cap 11.
3 Nisi ob Fornicationem
4 Praeter causã Fornicationis
5 Paraclòs Logou porneias.
6 ei my epi porneia.
7 Exepta causa fornicationis.
8 Paraclòs. oAct. 6. 9. paracloe ton presmou to Farex in the Septuagint Sam. 21. 9 1 Regum. 3. 18 p. Cor. 15. 27.
Ekros tou hy po taxantos.
9 Paraclòs u & i mi 1. ei mi. Apoc. 9. 4. et. 21. 27.
qẽsa 7. 4. 2. 6 ualma.
t. Prov. 30. 19

But as the Iew cannot conclude herof with any reaſon, that the word ſignifieth a married woman in *Eſay*; becauſe the thing ſpoken of is a ſtraunge ſigne and it is not ſtraunge for a married wommen to conceaue and bring forth a Sonne: ſo neither can the Ieſuite conclude of the former, that the particle in *Math.* is meãt adverſatively; becauſe the words then doe beare noe ſence at all: in which ſorte to thinke that any wiſeman ſpake, were folly; that Chriſt the word and wiſdome of God were impietie. Nay if ſome of *Bell.* ſchollars ſhould ſay that words muſt be ſupplied to make it perfect ſence, rather than their Maiſter bee caſt of as a wrangeler: they would be quickely inforced to pluck in this horn, or els they might chance to leape (which is worſe) out of the frying pan into the fire. For adverſative particles import an oppoſition & contrariety unto the ſentence againſt which they are brought in. Now, the ſentence is, *that who ſo putteth away his wife & marrieth another, doth commit adulterie.*

Wherefore he by conſequent, committeth not adulterie who doth ſo for whordome: If the particle be adverſative, and muſt have words accordingly ſupplied & underſtood to make the ſence perfect. Thus the ſhift & cavil which *Bell.* hath drawen out of the double meaning of the Greeke worde, is either idle & beateth the aier; or if it ſtrike any, it ſtriketh himſelfe, and giueth his cauſe a deadly wound. Yea that which he ſought to confute, he hath confirmed thereby. For ſith the worde hath onely two ſignifications exceptive, & adverſative, neither durſt he ſay that it is uſed here as an adverſative, it followeth he muſt graũte it to be an exceptive: ſo the place rightly tranſlated in our Engliſh agreeable to the other in the 5. of *Math.* *except it be for whoredom*, which as in their authentical latin text alſo doth out of controuerſie betoken an exception. Having all paſſages therefore ſhutt againſt him for ſcaping this way, he fleeth to another ſtarting hole; to wit, that if the worde betaken exceptively, yet may it be an *exception negative.*

And this (he ſaith) *ſufficeth for the maintenance of S. Auſt. anſwer. For when it is ſaid whoſoeuer ſhal put away his wife excepting the cauſe of whoredo and ſhall marry another doth commit adulterie: the cauſe of whoredom may be excepted, either becauſe in that caſe it is not adulterie to marrie another; & this is an exception affirmative; or becauſe nothing is preſently determined touching that cauſe, whether it be ſufficient to excuſe adulterie or noe; and this is an exception negative, which in that* S. Auſt. *imbraced he did wel.* I would to God *Bell.* had S. *Auſt.* modeſty. Then would he be aſhamed to charge ſuch a man wiith imbracing ſuch whoriſh filth of his owne facſiing, ar in diſtinction of negative and affirmtive exception he doth. For hee handeleth it ſoe lewdely and perverſely, by calling that affirma-

tive which in deede is negative, & by avouching that to bee negative, which is not: as if he had made a covenāt with his lips to lye, treading in the steps of those wicked wretches of whom it is written [r] *woe unto them that say that good is evil, and evil good.* For the proofe where of it is to be noted that an exception is a particular proposition cōtradicto rie to a generall: So that if the general proposition be affirmative, the exception is negative, and if the proposition be negative contrariewise the exception is affirmative.

[r] Esa. 5. 20.

As for exsamples sake [s] *He that sacrificeth to any Gods save to the Lorde shall be destroyed* saith Moses in the lawe. The proposition is affirmative. *He that sacrificeth to any Gods shalbe destroyed.* The exception negative.

[s] Exod. 22. 20

Mat. 19. 18. *He that sacrificeth to the Lord shall not be destroyed* [t] *There is none good, but one, even God* saith Christ in the Gospell. The proposition is ngative, *There is none good.* The exception affirmative. *One is good even God* [u] *I would to God that all* (saith Paul to Agrippa) *which heare me this daye, were altogether such as I am, except these bonds.* The proposition affirmative. *I wish that all that heare me were such as I am altogether.* The exception ne gatiue. [w] *I wish not in bonds they were such as I am.* [x] *No Church did communicate with me or the account of giving & receiving, saving you onely* sayth the same paule to the Phillippians. The Proposition negative, *No Church did communicate with me in the account of giving & receiving.* The exception affirmative *You of Phillippi did.*

[t] Mat. 19. 17.
[u] Act. 26. 29.
[w] Phil. 4. 10

Likewise al the rest of expositions adioyned to general propositions, though the markes and tokens of generality sometimes lie hidde in the Proposition, soe of denying or affirming doe in the exception: Yet it is plaine & certein that in the propositiō & exceptiō matched with it, are still of contrarie quality, the one affirmative, if the other negative, & ne gative if the other affirmative. Which being so: see now the Iesuits dealing, how fallsly and absurdly he speaketh against truth and reason.

For sith in Christs speach toching Diuorcement for whoredome, the proposition is affirmative *Whosoever shall put away his wife, and marrie an other, doth commit adulterie*: it followeth that the exception which deny eth him to commit adulterie *who putting away his wife for whoredome, marieth another*, is an exception negative, but *Bellarmin* saith that this were an exception affirmative. Yea which is more straunge in a man learn ed and knowing rules of logique (But what can artes helpe when men are given over by Gods iust iudgemnt to their owne lusts and errors?) he entiteleth it an exception affirmative, even then and in the same place when and where himselfe having set it downe in the wordes goe ing immediatly next before, had given it the marke of a negative, thus, *It is not Adulterie to marrie another.* And as no absurditie

dutie doth lightly come alone, he addeth fault to fault, saying that this is an exception negative, *When no thing is presently determined touching the cause, whether it be sufficent to excuse adulterie or no.* So first to denie with him was to affirme: and next, to say nothing, now is to deny, Yet there is a rule in [z] Law that he who saith nothing, dieneth not. Belike, as they coyned vs newuw Diviniti at Rome: so they will new Lawe and new Logique too. Howbeit, if these principles bee allowed therein by the Iesuits authoricie, that negative is affirmative & to say nought is negative: I see not but al heretikes & vngodly persons, may as wel as Iesuits, mainteyne what they list, & impudently face it out with like distinctions. For if an adversarie of the H. Ghost should be controuled by that wy reade to the *Corinthians* [a] *The things of God knoweth no man, but the spirit of God:* His answer (after *Bellarmins* patterne) were readie, that this proveth not the spirit of God to knouw those things, because it might be a negative exception, importing that S. *Paul* wolude determine nothing presently there of. If one who dispaired of the mercie of God through concience of his sine, & trespasses should be put in minde of *Christs* speach to sinners [b] *Yee shall all perish except yee repent.* He migt replie thereto that the exception is negative; and this though not in the former poynt, yet here were true; but to make it serve his humour. He must expounde it with *Bellarmin*, that *Christ* doth not determin what shall become of the repentāt. If a vsurer should be toulde that he is forbidden to *Give forth vpon vsurie*, [d] *or to take encrease:* & a theefe that he is commanded *To labour & woorke, & so to eate his owne breade;* they might (if they had learned to imitate *Bellarmin*) defend their trades both, the one by affirming, that to forbidd a thing is to say no thing of it, the other, that to commande betokeneth to forbid. In a worde, Whatsoever opiniō were reproved as false, or action as wicked, out of the scriptures denouncing death eternall and paynes of hell thereto: the seduced and disobedient might shift the scriptures of, by glosing thus vpon them, that false is true & wicked holy: life ment by death, & heaven by hell. Or if the Papists them selves would condemne this kinde of distinguishing and expounding places, as senceleese and shameleese: then let them give the same sentence of *Bellarmins* that negative is affirmative, and to say nothing is to denie. Which whether they doe, or not I wil, with the conset and liking (I doubt not,) of all indifferent iudges, and Godly minded men who love the truth and not contencion, conclude, that these lying gloses of the Iesuits doe not become a Christian. And seeing it is proved that an exception negative is not a preteritiō or passing over a thing in silence (which if *Christ* had ment, hee could have done with fitt words, as wise men are wont) but a flat

z L. Quisquis D. de regulis iuris.

a 1 Cor. 2. 11.

b Luc. 13. 3

c Levit. 14. 37.
d Exe. 18. 13.
e Epes. 28.
f The. 3. 12.

denying of that in one case, which the propositio affirmeth in all others it remyn. th that *Christ* having excepted out of his generall speech the who for whoredome put away their wives, denieth that in them, which in all others he affirmeth; and thereby teacheth vs that the man who putting away his wife for that cause, marrieth another, doth not commit adulterie.

The nexe trick of Sophistrie, whereto as to a shelter our adversaries betake them, is that the exception ought to be restreined to the former branche of putting away the wife onely. To the which intent, they say that there are some words wanting in the text which must be supplied and perfected thus; *Whosoeuer shall put away his wife (which is not lawfull except it bee for whoredome) and marrieth another, doth commit adulterie*. This deuise doth *Bell.* allowe of as probable, though not like the foresayd two of negation and negative exception. But our English Pamphletter preferreth it before all. And surely if it were lawfull to foist in these words *Which is not lawfull*: the Pamphletter might seeme to haue shewed greater skill herein then *Bellarmin*. But men of vnderstanding & iudgment doe knowe that this were a ready way to make the scripture a nose of waxe and leaden rule (as *Pighius* doth blasphemously tearme it) if euery one may adde not what the circunstances and matter of the text sheweth to bee wanting, but what himself listeth to frame such sense ther of as pleaseth his conceit and fansie. The sundrie interlasings of words by sundry authors into this very place and the wrestings of it thereby to sundry senses may (to go noe further) sufficiently discouer the fault & inconuenience of that kinde of dealing.

2 Hier. lib. 3. Cap. 3.

h Quæst 76. a Mat. 19.

For *a* the Bishop of Aulla supplieth it in this manner *Whosoeuer putteth away his wife, except it bee for whoredome, though he marrie not another, committeth adulterie, and whosoeuer putteth her away in whatsoeuer sorte, if he marrie another, doth commit adulterie.* Peter Alphonsus *h* checketh and controlleth this interpretation, partly as too violent, for thrusting in so many words; partly as vntrue, for the former braunch of it: saith hee who putteth away his wife, not for whoredome, although he cause her *to commit adulterie, yet doth not himself commit it, vnlesse hee marrie another.* Whereupon the Frier would haue it thus supplied rather. *Whosoeuer putteth away his wife, not for other cause but for whoredome, did not breake another, doth commit adulterie.* But this though it haue not soe many words added, as the Bishop of Aullas, yet in truth it is more violently forced against the naturall meaning & drift of the text. For by addidg these words *Nor for other cause*, his purpose is to say, that whoso putteth away his wife for noe cause but for whoredome yet committeth adulterie, if hee marrie another; much more if hee marrie having put away his wife for any other

i Alphonsia Castro adver. her. lib 11. tit Nuptiæ.

cause.

cauſe. And ſo is Chriſts ſpeach in effect made cleane contrarie to that which his owne words doe give: he ſaying *Whoſoever ſhall put away his wife, except it be for whoredom*: and the Frier forceing him to ſay *Whoſoever ſhall put a away his wife although it be for whoredom, and ſhall marrie another, doth commit adulterie.* kNicolas of Lira beeing as in time more auncient then the frier, ſoe more ſincere and ſingle in handeling the ſcripture, ſaith that other words muſt be interpoſed to the ſupplying of it thus, *Whoſoever putteth away his wife except it be for whoredom, ſinneth, and doth againſt the lawe of marriage; and whoſo marrieth another doth commit adulterie.* Wherin though he deale leſſe vyolently with the text, then doe the frier and the Biſhop: yet he offendeth alſo in their licentious humour of adding to the ſcripture, where nothing was wanting, & making it ther by to ſpeake that which he thinketh, wheras he ſhould have learned to thinke that which it ſpeaketh. Yea *Bell*, himſelfe acknowledgeth that they all were overſeene herein, albeeit cenſuring them with gentler words, as he is wont his favorits and freinds For *the explications* (ſaith he) *which the Biſhop of* Auila, *Alphonſus* a Caſtro *and others have deviſed, are no ſo probable.* k In Matt. 19.

But why ſhould theſe be noted by him as improbable, yea denyed unworthy the reherſal, and that of his owne, though adding in the like ſorte, *which is not lawfull*, be allowed as probable, yea magnified as moſt true by the pamphletter? The reaſon which they both, or rather which *Bell.* for the pamphletter doth no more here, but Engliſhe him, as neither els where for the moſt parte, though he bragg not thereof: the reaſons then which *Bell.* doth preſſe out of the text to breed a perſuaſion in his credulous ſchollars that this interpoſition is probable & likely, are preſſed indeed according to the proverb *The wringing of the noſe cauſeth bloode to com out.* For he ſaith that Chriſt did not place the exception after thoſe words *And ſhal marry another*, but ſtreight after thoſe *Whoſoever ſhall put away and likewiſe when he added, and whoſo marrieth her that is put away committeth adulterie he did not ioyne thereto, Except it be for whoredom: to the intent that he might ſhewe that the cauſe of whoredom doth onely make the putting away to be lawfull, & not the celebrating of a newe marriage too.* And how doth he prove that Chriſt did ſo place the exception in the former clauſe to this intent? or to this intent did omit it in the latter? Nay he proveth it not; it is but his cõiecture, like a ſicke mans dreame. Vnleſſe this goe for a proofe, that Chriſt did not ſo place it before without cauſe, nor omit it afterwarde without cauſe. Which if he meant it ſhould, it was for want of a better. For *Chriſt did not theſe things without cauſe* I graunt *Therefore he did them for this cauſe*; it folowth not. §. *Paule*, having occaſion to cite a place of ſcripture Mat. 19.

m 2 Cor. 6-17. doth set it downe thus *Com yee out from amoong thē, & seperate your selves saith the Lorde*, and *touch no unclean thing*. Herein he hath placed the wordes *saith the Lord*, not after *touch noe unclean thing*, but after *seperate your selves*. This did he not without cause, What? for this cause therefore that he might restraine the words, *saith the Lord*, to the former braunch as not pertaining to the latter also? No for it appeareth by the n prophet Esay that they belong to both. It is to be thought then, that the spirit of God who doth nothing without cause, did move *Paule* for some cause to place them soe. Perhaps for perspicuitye & comodiousnesse of giving other men therby to understaude the rather that both the wordes goeing before, & cōming after were quallified with *saith the Lord*. which is to be likewise thought of the exceptiō placed by our Saviour betweē the two braunches of his speech. And that with so much greater reason in my iudgment because if he had placed it after the later *And shall marry another*, the words 3 *except for whoredom* might have seemed to signifiie that it were lawful for a man having put away his wife for any cause to marrie another if hee could not conteine; as it is writtē 4 *Because of whoredom let everie man have his wife* where now, the exception being set before (the pharises whose question Christ therin did answer) could gather no such poyso out of his words; to feed their error; but they must needs acckowledg this to be his doctrine, that a man may not put away his wife for every cause, & marrie another, but for whoredom onely. As for Christs omitting of the exceptiō afterwrd *Bell*, himselfe wil quickly see there might be another cause thereof, if he consídder how S. *Paul* repeating this doctrine of Christ doth wholly omitt the exception, which neverthe lesse must needs be supplyed & understoode. For why doth S. *Paul* say that *to married persons, the Lords gave cōmandement; Let not the wife departe from her husband, & let not the husband put awaie his wife*, without adding to either parte, *except it be for woredom* which the Lord did add? *Bell*. greatest? Doctor saith hee omitted it Because it was very well knowen most notorius. If then *Paul* had reason to omitt it wholly because it was so wel knowē: Hoe much more iustly might Christ in parte omitt it for the same cause, having mencioned it imediatly before, & made it knowē thereby? Cheefly seeing that as he framed his speech to mens undestāding, so did he follow the cōmen use of men therein. And if I should say upon the like occasiō *whosoever draweth his sword, except he be a magistrate, & killeth a man committeth murder; and whosoever abbeth him that killeth a man committeth murder*: what man of sence and reason would not thinke I ment the exception set downe in the former sentence touching māqellers perteineth to the later of there abbetters also, and uttered once must serve for both?

3 Epiporneia

4 Diatis porneia

3 1 Cor. 7. 2

n Esay. 52. 13

o 1 Cor. 7. 10

p Tho. Aquin. in 1 Cor. 7. Lect. 2.

both? yea even in the former too, who would not thinke that my meaning were the exceptiõ ſhould reach, unto both the braunches of drawing the ſword, & killing a man; not to be abridged & tyed up unto the firſt, as if I had ſaid, whoſoever draweth his ſword (*Which none may doe except he be a magiſtrate*) and killeth a man, comitteth murder? yet one who were diſpoſed to play the Ieſuits parte, might thus expound my ſpeech, and ſay I taught thereby that *Peter* in deede was iuſtly reproved for drawing his ſword though, he killed not: But magiſtrates are authorized to draw it, and noe more, not to put men, to death, and to take vengeannce on him that doth evill. Neither ſhould he doe mee greater wrong. there in by making mee to ſpeake cõtrarie to ſcripture, than *Bellarmin* doth *Chriſt* by the like depraving of the like ſentence. But if all theſe reaſons will not perſuade his ſcholars, that in *Chriſts* ſpeach the exception of whoredome is to bee extended to both the points iointly of putting away & marrying: and that *Bell.* adding theſe words, which is not lawfull, did vnlawfully ſow a patch of humaine raggs to the whole garment of Gods moſt preciõs word: behold their owne doctrin allowed and eſtabliſhed by the Councel of Trent, ſhall force them, will they, nill they to ſee it & acknowledg it. For if the exception bee ſo tyed onely to the former point: Then a man may not putt away his wife for any cauſe ſave for whoredome, no not from bed and boord, as they tearme it, that is, from mutuall companie & ſociety of life, although he marry not another. But the Councel of Trent pronounceth & defineth, that there are many cauſes, for the which a man may put away his wife from bed and board, wherefore the Papiſts (no remedi) muſt graunt that the exception cannot ſo bee tyed vnto the former point onely. And therefore whereas *Bell.* ſayeth further that he thinketh it is [t] S. *Thomas of Aquines opinion that Chriſts words ſhould bee expounded ſo*: and [v] *Ierom ſeemeth ſome what to bee of the ſame minde*: the Papiſts peradventure wil bee faine to ſay that *Bellarmin* was deceived herein. For els not onelie *Ierom* of whom they reckon leſſe but [x] *Thomas of Aquine the ſainct of Saincts* & chiefeſt light of the Church of Rome ſhalbe convinced of errour, even by the Councell of Trents verdict.

qMatt. 26. 52.

rRom. 13. 4

ſSeſſ. 24. cā. 8

tIn 4 diſt. 35. quæſt an act. 5 adult.

vIn Mat. 19.

xThomas of Aquine the ſainct of Saincts & chiefeſt light of the Church of Rome ſhalbe convinced of errour, even by the Councell of Trents verdict.

And theſe conſideracions doe likewiſe ſtopp the paſſage of another ſhift, which is cooſin german to the laſt intreated of, & *Bell.* prayſeth it alike. To weete *that the words committeth adulterie, muſt be ſupplied & underſtood in the former parte of Chriſts ſentence thus: Whoſoever putteth away his wife, except it be for whoredome, committeth adulterie, & whoſo marrieth another committeth adulterie.* [x] *Salomon* did wiſely iudg that ſhee was not the mother of the childe who would have it devided; but ſhee who deſired it might bee ſaved entier.

xKin. 3, 18

Surely the Ieſuite hath not thoſe bowels of kinde and loving affection to wards *Chriſts* ſentence that a Chriſtian ſhould. who can finde in his heart to have it devided; & of one living body, namely, *Whoeſoever putteth away his wife, except it bee for whoredome and, marrieth another, commiteth adulterie*, made as it were two peeces of a dead carkas, the firſt, *whoſoever putteth away his wife except it bee for woredome, commiteth adulterie*, the ſecõd *whoſo marieth another cõmiteth adulterie*. Which dealing, beſide the incõvenience of making the ſcripture a noſe of waxe & leaden rule, if men may add what pleaſeth them, ſpecially if they may mangle ſenteces, & chop them in ſundry parts: but beſide this miſchief here it hath a greater, that Chriſt moſt true and holly, is made thereby to ſpeake an untrueth. For a man may put away his wife for other cauſe, then for whoredom, and yet not commit adulerie himſelfe. Yes he committeth it (ſaith *Bell. in his Wifes adulterie, whereof he was the cauſe by putting her vniuſtly away*. But I replie that it is one thing to cauſe his wife to cõmit it, another to cõmit it him ſelfe. And Chriſt when he was mynded to note theſe ſeveral faults, did it with ſeveral words ſ expreſſing them accordingly. Moreover, undrſtanding the tearme, *to put away*, not as ſ the force thereof doth yeeld, & Chriſt tooke it for the looſing of the band of marriage, but for a ſeperation from bed and boord onely, as *Bell.* underſtandeth it: He cannot allowe the ſentẽce which he fathereth on Chriſt, though ſo expounded, without either condemning of the Trent Councel, er beeing himſelfe condemned by it.

ſ Polei autin moichaſtai & moichatai.

ſ Apolvein Leluſai. 1cor. 7 27.

For if whoſoever ſeperateth his wife from him, but for whoredome, doth commit adulterie in cauſing her to commit it: Then is it a ſinne to ſeperate her for any cauſe ſave for whoredome. If it be a ſinne the Church of Rome erreth in houlding & decreeing that ſhee may bee ſeperated for ſundry other cauſes. But whoſoever ſaith that the Church erreth herein, is accurſed by the Councel of Trent. The Councel of Trent therefore doth conſequently curſe *Bellarm.* if he ſay that Chriſt ſpake his words in that ſence, in which he conſtrueth them. And doth it not curſe *Auſtin* alſo & *Theophilact*, whom *Bell.* alleageth as ſaying the ſame? at leaſt it declareth that in the Councels iudgment, the fathers miſſexpounded the Scriptures ſometimes, even thoſe verrye places on which the Papiſts cite them as ſounde interpreters of the Scripture. Now the ſpeech of Chriſt being cleared & ſaved entier from all cauils, the meaning thereof is plaine, as I have ſhewed, that he who having put away his wife for whoredõ marrieth another cõmitteth not adulterie. For ſo much importeth the exceptõ negative of the cauſe of whoredõ, oppoſed to the general affirmative propoſitiõ, wherwith our Saviour anſwered the queſtiõ of the phariſies touching divocremẽts u-

ſ Extra tit. de divortijs.

ſ Seſſ. 24. can. 28.

ſ Lib contra Adimant. ca. 3 in Mat 19.

ſed

ſed by the Iewes, who putting awaye there wives for any cauſe did marrie others.

The onely reaſō of adverſaries remayning to bee anſwered, ſtood vpon, & vrged by them as moſte effectuall, & forcible to the contrarie, is an example of like ſentences: from which, ſith the like concluſiō (ſay they) cannot be inferred, as wee in ferre of this, the inferrence of this is faultye. And faultie (I graunt) they might eſteeme it iuſtly if the like cōcluſions coulde not bee drawen from the like ſentences.

But lett the examples, which they bring for proſe here of be trough ly ſifted: & it will appeare that either the ſentences are vnlike, or the like concluſions may bee inferred of them. For of three ſentences propoſed to this end, the firſt is out of Scripture in S, Iames Epiſtle d *To him that knoweth how to doe well, and doth it not, to him there is ſinn.* A ſentence though in ſhewe vnlike to that of *Chriſts*, for the propoſition & exception both: yet having in deede the force of the like, if it be thus reſolved, *To him that doth not well, except hee know not how to doe well there is ſinn.* And why may it not be concluded here of, that there is no ſinn to him, *who knoweth not how to doe well, & doth it not? becauſe there are ſinns of ignoraunce* (ſaith *Bellarmin.*) *& he who knoweth not how to doe well, & doth it not, ſinneth, though leſſe then hee that offendeth wittingly.* I know not whether this be a ſinne of ignoraunce in *Bellarmin.*, or not, that when he ſhould ſay (if he will check the cōcluſion) *there is ſinne to ignorant* he ſaith (as if that were all one) *the ignorant ſinneth*, Betwene which two things there is a great difference in *S. Iames* his meauing. For *S. Iames* in the ſe words e there is ſinne to him, doth ſpeake emphatically, & noteth in that man the ſame that our ſaviour did in the Phariſies, when (becauſe they boaſted of their ſight & knowledg) e he tould thē that they had ſinne: meaning by this Phraſe, as himſelf expoundeth it, *that their ſinne remained*, that is to ſay, continued and ſtoode firme & ſetled. The cuſtome of the Greeke tougue wherein *S. Iames* wrote doth geve this Phraſe that ſenſe, as alſo the *Syriaque* (the language vſed by *Chriſt*) trāſlating *Chriſts* words after the ſame manner: & the matter treated of doth argue that he meant not generally of ſinne, but of ſinne being & cleaving to a man in ſpeciall & pecular ſort. For as f *the ſervant that knew his Maiſters will, and did not according to it, ſhulbe beaten with many ſtrips: but he that knewe it not, & yet did cōmit things worthy of ſtrips, ſhal be beaten with fewe.* Likewiſe in tranſgreſſiō whereūto the puniſhment anſwereth, *hee that knoweth how to doe wel, & doth it not, ſinne is to him, he hath it, he offendeth notably: But he that knoweth not how to doe wel, & doth evil hath not ſinne ſticking to him, his ſinne remaineth not, he ſinneth not ſo gretly & greevouſly.*

d Iam. cs. 4. 17

7 A martia to eſtin.

e Ioh. 9. 21 Ei hete a martian.

f Luc 12. 47

Wherfore whē *Bell.* draweth out of that ſentence ſuch a cōcluſiō as if

S. *James* in saying there is sinne to him, had simply meant, he *sinneth*; *Bellarmin* mistaketh the meaning of the sentence; which if the text it self cannot informe him, his doctors well considered may. But take the right meaning & the conclusion wil be sound. *Whosoever doth not good & honest things, except it be of ignorance, he sinneth desperatelie & mainely. Therefore whoso of ignorance ommitteth to doe them, he sinneth not desperately.* And thus our conclusion drawen from Christs sentence is rather confirmed thē preiudiced by this example, Yea let evē S. *Austin*, whose authoritie *Bellarmin* doth ground on here in, be diligently marked: & himself in matching these sentences together bewrayeth an oversight, which being corrected will helpe the truth with light & strength, For to make the one of thē like the other, hee is faine to fashion *Christs* speech in this sort: *To him who putteth away his wife without the cause of whoredome & marrieth another, to him there is the cryme of committing adulterie.* Now *Christ* hath not these words of emphaticall propertie, and strong signification, whereby he might teach, as S. *Augustin*, gathereth, that whosoever putteth away his wife for any cause, save for whoredome, and marrieth another, committeth adulterie in an high degree: and so imply by consequence, that who soe marrieth another, though having put away his former wife for whoredome, yet committeth adulterie too, a lesse adulterie.

But that which *Christ* saith is simple flatt, absolute; *he committeth adulterie.* And therefore as it may be inferred out of S. *Iames*, that he who ommitteth the doing of good through ignoraunce, sinneth not with a lottie hand in resolute stifnes of an hardned heart: Soe conclude wee rightly out of *Christs* wordes that hee who having put away his wife for whoredome, marrieth another, committeth not adulterie in any degree at all.

The first sentence then alleaged by S. *Austin* & after him pressed by our adversaries out of the scripturs, is soe farr from disprooving, that it prooueth rather the like conclusions from the like sentences. The seconde and thirde are out of theire owne braynes: The one of *Bell.* forging, the other of the Pamphletters; *Bellarmins, Hee that stealeth, except it bee for neede, sinneth.* The Phampletters, *Hee that maketh a lye, except it be for a Vauntage doth wilfully sinn.* Where of they say it were a wrong and badd inferrence, *That hee sinneth not, who stealeth for neede: and hee who lyeth for a Vauntage, sinneth not wilfully.* A badd inferrence indeed. But the fault there of is, in that these sentences are not like to *Christs*, For *Christs* is from Heaven, full of truth and wisdome: These ofmen, fond, and imply vntruth. They might have disputed as fitly to their purpose, and prooved it as forcibly, if they had vsed this example: *All*

sinne

g Tho Aquin Hugh Card et. Guilliand in Iacob. 4

h De adulter. coniug lib. 1. cap. 9.

i Mocharto est illi
2 Moiche. a auto ottin.
3 Moichatai.

foure-footed beasts except Apes & Monkeis are devoyd of reason, or this *All lingered Creatures except asses are beasts*. For hereof it could not be concluded iustly that Asses are not beasts, & Apes are not devoyd of reaſō. No. But this perhaps might bee concluded iustly, that hee had not much reason, nor was farre from a beast that would make such sentences. Considering that all men who write or speake with reason, meane that to be denied in the perticular which they doe except from a general affirmed And therefore sith he sinneth who stealeth though for neede, as the wise man sheweth, and hee that lieth for a vauntage doth willfully sinne, yea the more willfully somtymes, because for a vauntage, as when the scribs belyed *Christ*: It were a verie fond and witlesse speech to say, that *Whosoever stealeth, except it bee for neede, sinneth; And whosoever lyeth except it bee for a vauntage doth wilfully sinne.* Wherefore these sentences are no more like to *Christs*, them copper is to gould, or wormewood to the bread of Heaven. Ipro. 6.9

Neither shall they ever finde any sentēce like to his indeede, of which the like conclusion may not be inferred, as we inferre of that. And soe the maine ground of my principall reaſo proposed in the beginning, remayneth sure & clearly prooved; that he by *Christs* sentence committeth not adulterie, who having put away his wife for whoredōe marrieth another. Whereof seeig it followeth necessarely, that he who hath put away his wife for whoredome, may lawfully marrie another, as I there declared: it followeth by the like necessity, of cōsequence, that the popish doctrine mainteined by our adversaries denying the same,

is contrarie to the schripturere and doth gainsay the truth delivered by the Sonne of God.

THE

THE SCCOND CHAPTER.

The places of Scripture aleadged by our adverſaries to diſproove the Lawfull liberty of Marriage after Divorcement for Adulterie, are Propoſed, Examined, and prooved not to make againſt it.

SAinct *Auſtin* in his learned bookes of Chriſtian Doctrine, wher in he geves rules how to finde the right & true ſence of ScripturaDe doctr. Chriſt li b. 2. caP. 9. es, doth wel adviſe the faithful, *Firſt to ſearch & marke thoſe things which are ſet downe in the Scriptures plainely, and then to goe in hande with ſifting & diſcuſſing of the darke places: that the darker ſpeaches may bee made evident by Patterns & examples of the more plaine & manifeſt, & the records of certaine & undoubted ſentences may take away doubt of the uncertaine.*

This wholeſome & iudicious Counſaile of S. *Auſtin* if our adverſaries had bin as careful to follow, as they are willing to ſhew the follow him in theſe things which he hath written leſſe advisedly: they would not have alleadged & urged the places of Scripture, which they doe againſt the poynt of doctrine hitherto prooved out of the 19. of S. *Mathew*. For Chriſt in that place doth open the matter & decide the queſtion moſt plainely & fully: of purpoſe anſwering the Phariſes. In others, either it is not handled of of purpoſe, but incidetly touched, or in generallity ſet downe more briefly, & ſoe more darkely & obſcurely.

Wherefore if any of the other places had ſeemed unto thē to raiſe a ſcruple, and ſhewe of ſome repugnacie: they ſhould have taken paines to explaine & level it by that in S. *Math*. the darker by the clearer, the brieffer by the larger, the uncertein & ambigguous by the undoubted & certeine. But ſeeing they have choſen to follow S. *Auſtins* overſights rather then his beſt adviſes in like ſorte as *Furius*, an orator of Rome did imitate *Fimbria* whoſe force of ſpeech and arguements he attained not to, but pronounced broadlye & ſet his mouth awry like him: wee muſt ſay of them as Chriſt of the Phareſes c *Let them alone, thy are blind leaders of the blind*: and our ſelves endevour to follow S. *Auſtin* in that he followed Chriſt, who cleared the b darker place of *Moſes* by c the plainer word & ordinance of God, The which if we doe, we ſhall (by Gods grace) eaſily percieve, that none of al the places aleadged by our adverſaris, doth make againſt the doctrine alredy proved & cōcluded.

b Cicero lib. 2 deorat.

c mat 15. 14. p Matt 19 7 eveſ. 4. et 8.

For the firſt of them is in the 5. of Math. *Whoſoever ſhal put away his wife, except it be for whoredome, doth cauſe her to commit adultery, And whoſo marrieth her that is put away doth commit adultery, Theſe words* (ſaith Bell. and looke what *Bell*. ſaith the, the pamphletter ſaith with him, ſo that

one

one of their names may ſerve for both: and reaſon *Bellarmin.* have the honour) *Theſe words. And whoſo marrieth her that is put away doth commit adultery, muſt be either generally taken without exception, or with the exception.* Except it be for whoredom. *If generally, then he who marrieth her that is put away, even for whoredom doth commit adultery, The band then marriage is not diſſolved and looſed by her putting away: but company debarred onely. For he that marrieth her ſhould not commit aduletrie vnleſſe ſhee were bound yet to her former huſbād.* And thus farr *Bellarmin.* ſayth well: but ſu perfluouſly. For the words may not be generaly taken, ſith they have re lation to the former ſenten e, whereto they are cou pelld: nd that ſen tence ſpeaketh of her which is put away *except for whordom.* Their mean iug then muſt needs be that he who marrieth her whic h is ſo put away doth commit adulterie. Neither could *Bell.* be ignorant hereof, or doubt with any likelyhoode, but that this is our iudgmēt, & would be our anſwer. Wherefore his two forked diſpute about the words, was aflouriſh onely to make us afrayde: as if hee fought with a two hande ſword, which would kill al that came in his way But now he goeth ſore warde upon his enemies pike, an laieth about him on the other ſide. *If the words muſt be taken with the exception: then he that marrieth a whore put away from her huſband, cōmitteth not adulterie, & conſequently the whore is in better caſe then the innocent & chaſt. For the whore is free & may be marri ed, whereas the innocent that is uniuſtly put away, can neither have her former huſband, nor marrie another.* But this moſt abſurd, that the lawe of Chriſt being moſt iuſt, would have her to be in better caſe & ſtate, that is iuſtly put away, then her that is uniuſtly. For anſwer unto which reaſon of *Bell.* I would ſpurr him a queſtion, whether by the Popes law, whi h forbiddeth a man that g hath been twiſe married, or h hath married a widow, to take holly orders & admitteth on thereto that hath kept or happely keepeth many concubines, a whormōger be in better caſe thē an honeſt man: and if a whoremoger be ſo by the Popes lawe, wheth- er we ought to iugde that this is moſt abſurd or noe. Here if he ſhould anſwer that the Popes lawe is not moſt iuſt & therefor noe marvel if it have ſome ſuch things as were moſte abſurd to be imagined by Chriſts law: I muſt ackowledge he ſpake reaſon. Wel, I would ſpurr him thē another queſtion, whether he thinke that I ame in better caſe thē any Ieſuit, yea, then the beſt of them all. Phy he will anſwer, there is noe compariſon. The beſt? nay the worſt of them is in better caſe then I am: Yet I may marrie if I liſt: and none of them may becauſe of their vowe(Belike this Vow-Doctrine was not eſtabliſhede by the lawe of Chriſt, Which is moſte iuſte, but by the popes lawe rather. Or it is moſt abſurde that a poore Chriſtiane ſhoulde hee

g Extra de bigamis cap. Sane. eo h.e de bigamis. i.c Quia circa

k Extra. de minimus. Qui clerici vel voventes

l Corn Tacitus Annal lib 4 Dio. lib. 7

in better caſe, then the provdeſt Ieſuit. But heere peradventure the man will ſay rather that wee are Heretiques, and they Catholiques, and the meaneſt Catholique is in better caſe, even for his faiths ſake, then any Heretique watſoever: which if he doe as it is likely, neither can hee ſay ought with probability but to this effect, then hath hee confuted and overthrowen his argument, For by this anſwere hee cannot chuſe but graunt that the ſimpleſt woman being put away vniuſtly from her huſband is in better caſe for her chaſtities ſake. though ſhee may not marrie, theu watſoever whore that may. And I hope hee will not ſay that the ſtewes and curtizans at Rome are in better caſe then honeſt matrons there divorced from their huſbands. Yet may none of theſe, while their huſbans live bee ioyned to others, whereas the curtizaus are free to marrie whom they will, if any will marrie them who are ſoe free. Howbeit, leaſt any place af cavelling be left him, and ofpretending a difference betweene thoſe, who having had the uſe of marriage loſe the benefit of it, and thoſe who loſe it not having never had it: I wil ſet before him a plaine demonſtratipn thereof in married perſons. *Sianus* (as the Romaine Hiſtorie recordeth) did put away his wife *Apicata* vniuſtly: therby to winne the rather the favour of Livia, which was the wife of *Druſus*. Livia being carried awaie with the wicked intiſemēts of *Sianus* was not only nought of her body with him, but cōſēted alſo to make away her huſbād *Druſus* with poiſon. Now let *Bell.* tel us whether of theſe two were in bettir caſe Apicata or Livia; *Lovia* the adultereſſe and murdereſſe of her huſband, beeing free to marry, or chaſt Apicata being bounde to live ſolitarie. If he ſay Livia ſhould have ben put to death by the [m] Romaine law becauſe of her murdnr & thē had ſhee not bē in better caſe thē *Apecata* for liberty to marrie: I reply that likewiſe by the law of *Moſes* the womā whō Chriſt ſpeaketh of, ſhould have beē put to death, becauſe of her adultery, & ſo the doubt here ceaſed too. But the law of *Moſes* being left vnexecuted on the adulterous woman, as the Romain was for the tyme of *Livia*; let *Bellarmin* anſwer to the poynt, not as of *Livia* onely, but of any whor that hath wrought her huſbāds death, and for want of proofe, or through the Magiſtrats fault is ſuffered to live, whether ſhee bee in better caſe then an honeſt chaſt, religious matron, that is put away from her huſband vnjuſtly.

m. Lege Pompeia de parricidis.

n. levit 20. 10.

o Deut. 28. 15
p Revel, 21. 8
q. 1 Tim. 4. 8

Which if hee dare not ſaye, conſidderinge one the one ſide the plagues that in this life, and [p] in the life to come are layd vp for ſuch miſcreants, on the other the bleſſed [q] promiſes of them both aſſured to the Godly: then hee hath noe refuge, but hee muſt needs confeſſe that his argument was fond. For the murdering whore is not an adultereſſe by the law of *Chriſt*, though ſhee take another man her

huſband

husband being dead: and yet the chaſt Matrone were an adultereſſe if ſhee married while her huſband liveth, who hath uniuſtly put her away. Wherein this notwithſtanding is to be weighed that a chaſte womans caſe is not ſoe hard in comparſon of the whores. 1 Nam For, meatia libera eſtet nubere Poteſt. innocens autem in inſte dimiſſa, nec pti remvitium habete Poteſt, nec alteri nubere

No, Not for marriage neither, as *Bellarmin.* by cunning of ſpeeche woulde make it ſeeme to countenauce therewith his reaſon. For he frameth his words *ſoe*, as if the chaſt had no poſſibility of remedy at all, neither by having her former huſbād, nor by marrying another: & therefore were in worſe caſe thē the whore who is free to marrie, whereas the truth is, that by *Chriſts* lawe ſhe not onely may but ought to have her former huſband. 1 Cor. 7. ver 11 ſ. verſ. 4

And why ſhould not ſhee be as likely to recover her huſbands good will, to whom ſhee hadd bene faithfull: as a faythleſſe whore and infamous ſtrumpett to get a newe huſband?

Chiefly ſeing that it is to be preſumed they loved ech other when they married: and experiēce ſheweth that *Falling out of Lovers is a renewing of love.* But if trough the frowardnes of men on the one ſide, and fooliſhnes on the other, the chaſte wife could hardly reconcile her huſdād, the whore get eaſily a match it ſufficeth that the law of *Chriſt* cannot bee juſtly charged with abſurdity, though it doe enlarg the vnchaſt and lewd in ſome outward thing, in which it enlargeth not the chaſt. No more then the providence of God may be controlled and noted of iniquity though the evil & wicked enioy certaine earthly bleſſings in this life, which are not graunted the vpright & godly. Wherefore the firſt place of Scripture out of S. *Mathew* and forced by *Bell.* with his 2 horned argument (as the Logitions tearme it) doth ſerve him as much to annoy our cauſe; as the Iron hornes made in *Achabs* favour by *Zedechiah* the falce prophet did ſtand him in ſtead to puſh & conſume the hoſte of the *Aramiters.* t Terens. Andr. vler 17 r. pſal 73. 5. 2. Dilemmal Cornutus Sy logiſmus.

The ſecond place is written in the tenth of *Marke.* *Who ſo putteth away his wife and marrieth another committeth adulterie againſt her: and if a woman put away her huſband, & be married to another ſhee committeth adulterie.* The like whereof is alſo in the ſixtenth of *Luke* 2 *Whoſoever putteth away his wife and marrieth another committeth adultery: & whoſoever marrieth her that is put away from her huſband, commiteth adultery.* Theſe words (ſayth Bellarmin) *doe teach generally that marriage contracted & perfected betweene the faithfull, is never ſoe diſſolved that they maye lawfully wymin other wedlocke.* And whereas wee anſwer thattheſe general ſentences are to be expounded with a ſaving of the exceptiō mentioned in *Mathew*, becauſe one *Evangheliſt* doth add oftentymes that another ommitteth; and *Mathew* els where contrary vnto *Marke* & *Luke*, which (ſith they al y. Mark 10. 12. z luk 16. 18 a. Mat. 19 9.

wrote as they were moved by the holy spirit of truth) is impossibel: *Bell:* replieth that the Evangelists in deed omit or add somewhat now and than, which other Evangelists have not omitted or added; but they doe never omit in such sort that the sentence is made false. A strange kind of speech, As if all generall sentences were false from the which some speciality, though not expressed in the same place, yet by conference with others, is understood to be expressed. Sure the Civill Lawe which in learned mens opinions hath much truth, will then be stained fowlly with untruths & lyes. For how many sentences & rules set downe in it with full & generall tearmes, whereof not withstãding there is none [b] lightly but suffereth an exception. The Canon law also (whose credit & authority, *Bellarmin* must tender, hewsoever he doe the Civill) hath store of such axioms, and [c] teacheth accordingly *That a perticular doth derogate from the generall.* But what speake I of mẽs lawes? In the scripture it selfe *Job* saith that [d] *the hypocrite shall perish for ever, like the dung and* David, *that the* [e] *wicked shal turne into hell, all nations that forget God,* & Salomon *that* [f] *Everie proud harted man is an abomination to the Lorde, though hand ioyne in hand he shall not be unpunished.* These sentences of *Job & David & Salomon*, are true in the beliefe of Christians; yet forasmuch as they must be understood with an exception, according to the Doctrine of Christ and his servants, saing unto sinners *Except ye repent Ye shal al perish*: in the Iesuits iudgement they are made false. And *Ionas* semblably, when he preached to the Ninivits[i] *yet forty daies, and Ninive shalbe overthrowen*, acused them with an untruth: though learned men doe finde a truth in his speech, as to be thus take that Niniveh *should be overthrowen except it repented.* Or if *Bellarmin* also acknowledg the same, which he may not choose, unlesse of a Iesuit he wil become a Iulian, and quite renounce the Christian faith: then acknowledgeth he that he plaieth the parte of a guilful Sophister or a malicious Rethorician, in signifinge that the sentence of Christ is made false, if it be expounded and understoode with an exceptiõ otherwhere expressed. And with all by consequence he acknowledgeth farther, that it is an idle and brainsick amplification which hereuppõ he lavisheth out Iesuit like and vainely mispendeth paines & times about it, by saying that els (*if the sentence forsooth were false*) *the Evangelists had deceived men to whom they delivered their Gospells making no mention of other Evangelists and that when* Marke *wrote his Gospel at Rome received by the preaching of* Peter, *hee did not send the Romaines backe to* Mathews *gospel, as to a commentary: Nay if* Mathews *gospel hadd bene then at Rome in the hand of the faythfull, it may be wel thought that* Marke *whould not have written, and that* Marke *wrote not to add ought to* Mathew, *as* Iohn *did afterward, but onely*

b L ommis definitio D. de regul. juris

c Rodtit in Sext c General pet Speciem derogarur E Dig l in toto Jure.

d Iob. 20 7. epsal. 9 17 sprov. 16.5

e Luk. 13. 3. b Esay. 1 et 55 7. Luk 3.8 j Act. 1, 18. i. Ionas. 3.4 k Aben Ezra on Ier. 18.7 Nic Lyranus. 10 Ferus. Item, et in Ionam.

onely that the Romaines might the better remember that which Peter *taught: For* [l] Irenæe [m] Eusebius *and* [n] Ierom *geve this cause; and that* Luke *wrote his Gospel for those nations to whom* Paul *had preached, and vnto whom the booke of* Mathew *and* Marke *were not yet come, but certayne false writtings of False Euangelists onely: as* [o] *himself sheweth briefly, and it is more clearly gathered out of* [p] Ambrose, [q] Eusebius *and* [r] Ierom.

[l] lib. 3. cap. 1 mlib. 2. hist. cap. 15. [n] lib. de viris illustribus in Marco.

[o] Luc. 1. 1 [p] Commen in Luc cap. 1. [q] lib. 1. hist. cap. 24. [r] lib. de viris illustribus in Luca.

And in conclusion, that the things therefore *which* Marke *and* Luke *say, must bee absolutely true, & not depend of* Mathews *words, vnlesse our meaning be that they were deceived, who did read* Marke *or* Luk *without* Mathew For by this reason of *Bellarmin* the words of *Iob, David, Salomon* and *Jonas*, must bee absolutely true, & not depend of *Christs* words in *Luke* or by *Esay*: vnles our meaning bee, that they were deceived, who read the Psalmes of *David* or *Salomons* proverbs, or heard *Iob* or *Ionas* speake without *Christ*. which likewise might receive a gay shewe by saying that els (if these sentences were false) these holy men had deceived them to who they spake or wrote, making noe mention of other holy teachers: aud that when *Iob*, and *David*, and *Salomon*, and *Ionas* did either write or speake, they did not put men ouer vnto *Luke* or *Esay* as to a comentarie; Nay *Iobs* words were vttered, before either of them, or any of *Christs* pen-mē of the whole Scripture wrote, as sundry of the Fathers doe probably teach: and [t] *Ionas* did looke that Niniveh should be overthrown according to his absolute speech, so farre was he of from sending the Ninivites to such as specifie the exception, besides that, had he sent them, whither should they have gone, who neither knewe the Scriptures, and [v] lived before the tyme of *Luke* and *Esay* both? *David* too, & *Salomon*, were their auncients farre and ech did sett forth the one his Psalmes, the other his Proverbs (even those which they did writ) not all at once but by partes; and partly [x] their owne titles, and [y] other Scriptures argue, partly [z] *Athanasius*, [a] *Theodoret*, and [b] *Bede* signifie: neither did *Luke* or *Esay* write to ad ought to the Psalmes or Proverbs, or to the words of *Iob* or *Ionas*, as [c] *Ezra* did to the booke of Kings; But *Esay* to publish onely his owne Prophecie, and the storie touching it, *Luke* the Gospel of *Christ*, and Acts of the Apostles. Here were a trimme tale, which might be very forcible with a man forlorne, like *Iudas Iscariot*, to perswade him, that the sentences of *Iob* of *David*, of *Salomon*, of *Jonas* concerning the distruction of hypocrits and all the wicked, are not to bee expounded out of *Luke* or *Esay*, with an exception of Repentance. Yea, this should of reason heve greater force and weight then *Bellarmins* of the same spinning. For he sayth that *Marke* did not write his Gospell to add ought to *Mathew*. Which thing beeing graunted, yet *Marke* notwithstanding might be expounded by *Mathew*,

Origen in Iob lib 5. Athanas in synops sacr. script. August. de civitat. Dei lib 18 cap. 47. Theodoret in Ier. Quæst. 92 Chrysost poly chron.

[t] Ionas 4. 5. [v] 2 King 14. 25 [x] psa. 90. 18. 30. 51. et. Prov. 10 1. et. 25. 1. et. 31 1. [y] 2 Chron. 16. 17. 1 King. 4. 31 [z] Synops. Sacr Script. [a] Argum in psalm David [b] comment. in psalm præfat.

[c] In the bookes of Chronicles.

and soe much the rather, *Mathew* having specified an exception, that *Marke* omitteth: as [d] the Lawiers teach that their Generall rules were not written to add ought vnto the former, yet must bee expounded with the exceptions touched in the former Lawes. But in the spiederwebb that I have woven after *Bellarmins* patterne, it is contrarie wise; that *Esay* and *Luke* did not write to add ought to the Psalmes or Proverbs; or to the words of *Ioh* or *Jonas*; which hath greater colour to prove that their sayinges should not bee absolutely true, & not depēd of exceptions mentioned so long after, neither meane to bee ioyned to them: Chiefly for alianes from the Common-wealth of Israell, such as they that heard *Iob* and *Jonas* were, who lived not to read the Doctrine of *Christ* in his Prophets and Apostles. Wherefore seeing *Bellarm.* is forced to acknowledg it were a lewd parte to reason and conclude this on generall sentences of *Iob*, *David*, *Salomon*, that an hypocrite, a wicked, & proud-harted man, shall not bee forgiven and saved though hee repent: much more must hee acknowledg a fault, in his disputinge gathering out of *Marke* and *Luke* that a man having put awaye his wife maye not marrye another, though he have put her away for whore dome. And hereby wee may see what honour they both, himself and the pamphletter, who in this whole discourse goeth with him foote by foote, save that by enterlacing more fond vnsavory words, hee overrunneth him sometymes: a cover weel beseeming and worthy such a cuppe, onely somewhat broader; but hereby wee may see what honour they have done [e] *S. Austin* in knitting vpp the ir tale with his words, *Who are wee, that wee should say, Some putting away their wives, and marrying other, commit adulterie: and some doeing soe commit it not, Whereas the Gospel sayth, that every one committeth adultery, who doth so?* Even as much honour as themselves should gayne, if in the forlorne mans case, which I spake of they were his ghostly Fathers, and put him in this comforte *Who are wee that wee should say, some wicked men shall goe to hell,* (namely the vnrepentant) *some* (the repentant) *shall not goe, whereas the Scripture sayth that everie wicked man shall goe to Hell.* Lett this kinde of dealling in refuting matters bee once allowed for currant: and every Priest and Iesuit as well as the Pope will have more Royall power, even over Princes: what should I say over common Christians? For whereas it is written in the Epistle to the Collosians [f] *Children obey your Parents in all things:* and Prophets were honoured with the name of Fathers, not onely by their [g] schollers, the childrē of the Prophets, bnt also by the [h] Kings of Israel: the [i] title of Father geven to all priests though not in such degree as to [k] the Pope, yet to all priests & to Iesuits especialy, in somuch that a [l] great person of Rome doth terme them not *Fathers* onely with the

d 1. Regula est D. be reg. jurip.

e De abulterin conjug. li. 1. cad. 9.

f. Col. 3. 20,

g 2 Ring. 2. 12 h. 2 Rin. 6. 21, et 13. 14.

i Bell tom 1. cont 3 lib, 2 cad. 31.

k pape pater datrum. 10. Andr in Clementinas, Procem.

l Allen in his Apologie of the Englishi seminaries. chap, 6.

the people, but the *Reverend Fathers, the Catholique Fathers, the good Fathers of the ſociety of the holy name of Jeſus*: this title then applied & geven to them all will quickly winne their ſchollers to thinke that the [m] *obedience commaunded to wards them is obedience in all things*. Now we proteſtants teach that nevertheleſſe ſuppoſing they were in deed Fathers not caterpillers of the Churche, yet if Prieſt or Ieſuit or the pope himſelf ſhould commaund a mā to cōmit murder or whoredome, or theft, hee might not bee obeyed, becauſe it is written in the Epiſtle to the Epheſiās [n] *Children obey your Parents in the Lord*, whence that to the Coloſsians ought to bee expounded, that Parents muſt bee ſo farre forth obeyed, in all things as ſtandeth with the dewty which children owe to God, and in pietie they may. But if ſome Catholique Father ſhould denie this, and ſay (like Father *Robert*) *that S. Paule in deed ommitteth or addeth ſome what in one Epiſtle, which hee hath not omitted or added in another, but hee doth never omit in ſuch ſorte that the ſentence is made faulſe: for els S. Paule hadd deceived the Coloſſians to whom hee ſent theis Epiſtle, making no mention of that other to the Epheſians: And ſurely when hee wrote to the Colloſſians from Rome, he did not ſend them back to his Epheſian Epiſtle as to a commentary; nay if that Epiſtle had bene in their hāds, it may be well thought, that hee would not have written to them. For hee did not write the Epiſtle to the Colloſſians thereby to add ought to that which he had written vnto the Epheſians, as hee did the later to the Corinthians, or Theſſalonians, after the former, but onely to reclayme the Colloſſians from their errour, that man is reconciled, & hath acceſſe to God by Angels, & to corect their Ieuiſh and Heathenish obſervations; for* [o] Chryſoſtom [p] Theophylact, *and* [q] Oecumenius *geve this cauſe. That which Paule therefore ſayth to the Colloſſians muſt be abſolutly true, & not depend of that hee ſayth to the Epheſians, vnleſſe our meaning bee that they were deceived, who read the Epiſtle to the Colloſſians without the other*. If ſome Catholique Father (I ſay) ſhould ſpeake thus, againſt our interpreting of Scripture by Scripture, would not his children (trow yee) thinke it ſtrongly & invincibly proved, that they muſt obey him abſolutely in all things? Chiefly, if as Father *Robert* bringeth *Auſtin*, ſoe he brought [r] *Caſſianus S. Chriſoſtoms* ſcholar in, who prayſeth one *Mutius* (a novice of an Abbey in Egypt) as a moſt worthy pattern of obediēce to his abbat or [s] Father, as you would ſay for that he was ready to caſt his owne natural ſonne a litle child, into the River at his commandement & ſoe as much as lay in hī did murder his ſonne, but that ſome by the Abbats appoyntemēt did receive him beinge caſte out of his Fathers hands towards the River, & ſaved him from drowning. For hee [t] who extolleth this Novices fayth & devotiō to Heavē, affirming that the Abbat was by revelation ſtraightway advertiſed, that *Mutius* hadd performed

m Heb. 15.17. Alſen Apolo. gie chap 4.
n. Epheſ. 6. 1.
o. Hom. 1 in epiſt ad coloſs.
p Argument. epiſt.
q Argum. 2 e Theodoreto.
1. Monach. in ſtitut lib. 4. cap. 27.
2 For ſo the Syrique word Abba bwhence Abbot (at cometh) doth ſignifie Rom. 1. 15
r Caſsian li. 4 cap. 28.
s Geneſ. 2. 10.

Abraham

v Genes.22.2. t *Abrahams* the Patriarks wotke by the obedience, as if there were noe difference between the v Lords commandement and : n Abbats might have formed a sentence like *Austins* in defence thereof: *Whereas wee that wee should say, Children in some things must obey their Parents, & in some they must not, whereas the Scripture sayth. Children obey your Parents in all things.* By the which construction whatsoever a mans mother should command him, must be obeyed too, she being comprehended in the name of Parents: and what soever a mans x Maister should command, hee

2 kin 5.13
x gen.45.8
Iob.29.16.
1 Tim.5.1.
Act.7.2.& 22.1.

becing also a Father, and whatsoever y any Governour should command, or frend that hath done good, or an olde Gray-headed man they being Fathers all, though not by nature, yet by office, benefit, or age. And then had King z *Asa* done evill in putting downe his mother *Maachah* from her state because shee hadd made an Idole in a grove;

z 2. chron 15.16
a 1. Sam. 22.17
b Act. 4. 5. et 5. 29.

& in breaking downe her Idoll; and stamping it, & buruing it. And a *Doeg* the Edomite had deserved greater prayse then *Sauls* servants, sith they *Would not move their hands to fal vpon the Lords Priests*, when their Maister bidd them; which *Doeg* did and executed his wrath to the vtter most. And the b Apostles hadd overseene themselves, when they disobeyed the high Priest, and rulers and Elders of Israel; and gave this reason of it *Wee ought rather ta obey God then men*. Yea that wretched impious & execrable fryer, who did more then barbarously murder his Soverai gne Lorde the * French King the annoynted of the HIGHEST,

†HENRIE the third. 1589. Augu. 2.

may then bee excused, excused! nay commended and praysed by trayterous papists, as having done that which hee ought: seing it is likely that either Pope or Priest, or Iesuit or Abbat, or some of his superiours commanded him to doe it. Such absurd consequents of *Bellarmins* affirming that c *Markes and Lukes words must bee absolutely true, and not depend of Mathew*, doe shew what great reason hee had soe to speake. For it is written of the Cittie of Ierusalem, compared with the *Canaanites, Amorites*, and *Hittites* c *Such mother, Such daughter*: in like sort may it be sayd of this construction of the holy Scripture compared with *Bellar. Such consequence, such antecedent*. And this farre of his second place.

c. Ezek. 16.44

b. Rom. 7.1

The third is in the Epistle to the Romaines the seuēth chap. d *Knowe yee not bretheren (for I speake to them that knowe the Law) that the law hath Dominion over a man as long as hee liveth? For the woman, which is in subiection to a man, is bound by the law to the man while hee liveth: but if the man bee dead, shee is delivered from the law of the man. So then if while the man liveth, shee take another man, shee shalbe called an adultereesse: but if the man bee dead shee is free from the law, soe that shee is not an adultereesse, though shee take another man. Out of which place and* e *the like in the seaventh of the first Epistle to the Corinthians, Wee gather* (saith Bellarmin) *that the band of marriage is*

1. cor. 7. 39

never

never looſed but by death: and that ſeing it is not looſed, it remayneth after divorcement too, for whatſoever cauſe the divorce bee made. This doth *Bellarmin* gather: but gathering ſo, he reapeth that which the holy Ghoſt ſowed not. For *S. Pauls* meaning in thoſe words to the Romains and Corinthians was, that the band of marriage is not looſed comonly and ordinarily, while both the parties live; not that abſolutely, it is never looſed till one of thē die. As in the like caſe (to open the matter by his owne examples) hee [f] ſayth *Who goes to warrfare any tyme at his owne coſt?* Now ſome have ſerved at their owne charges without pay ſometymes. For ſo did the [g] Roman ſtocke of the *Fabij* agaynſt the Vientians and [h] *Cimias* an Athenian Citizen agaynſt the Perſians. But men for the moſt parte are waged publiquely therevnto. And that is the poynt which *S. Paule* reſpected. Againe [i] *Who planteth a Vineyard, & eateth not of the fruite thereof?* 4 Hee on whom they father the firſt occaſion of that proverb *Many things doe happen between the cupp and the lipp*; is ſayd not to have drunke of the fruite of the Vineyard which himſelfe had plāted, not to have eaten thereof belyke. At leaſt ſeing [k] old men plant trees for their poſterity, neither might [l] the Iewes eate of their fruite in certayn years: It is more then likely that many of them did not. Some did not queſtionleſſe: they namely, who ſuſtanied the curſe which God denounced vnto them by *Moſes*. *Thou ſhalt plant a Vineyard, and ſhalt not vſe the fruite thereof.* Yet *S. Paule* laide wel, becauſe ſuch as plant vines doe enioye thē commonly. *Againe who* [m] *feedeth a flock & eateth not of the milke of the flock?* They eat not of the milke, who doe not milke there ſheepe at al: & there be who doe not for feare of impairing therbye the lambs and woole. But it is ſufficient for S. *Pauls* purpoſe, & the truth of his ſpeech, that men in moſt [o] contreis are wont to have them milked: & they who under take the paines of feeding flocks, are accoſtomed to eate of the milkes of their flockes. *Againe* [q] *No man ever hated his owne fleſh, but nouriſheth & cheriſheth it.* *Cato* the yonger, who ſlewe himſelfe at Vtica, [r] was ſo farr from nouriſhing & cheriſhing his body, that when his bowels being guſhed out thereof, he was not yet dead, he tore thē in pieces with his owne hands as [s] *Raſias* alſo did. Neither would S. *Paule* have denied this: who knew that many [t] hadd killed themſelves, and taken awaie al ioyes of life from their fleſh. Onely he ment that noe man hath ever lightly hated it, but every one doth nouriſh and cheriſh it rather. [n] *Noe man that warreth entangleth himſelfe with the affaiers of life, becauſe he would pleaſe him that hath choſen him to be a ſouldier.*

What? is this falſe, becauſe [x] rich *Craſſus* being choſen by the Romains to be their Generall in Sirria, did without all care of pleaſinge them, who had choſen him, playe the marchand man and occupicde

f 1 cor. 9.7

g Dionyſ. Halycarn. ant. Roman li. 9.
h Herod li. 8
i 1 cor 9.7
d Ancæus or Agæpenor, Iac Tzetz in Lycophr.

k cic. de ſenectute.
l Levit 19. 23

m Deut 28. 30

n 1. cor 9.7
o. Varr lib. 2, c. 2 de re Ruſt columell 1, 7. c 4.
p Deut 32 14. Homodyſſ li 9. Ariſt de hiſt animalium lib. 3. cato de re ruſt. cap 13. virg 1 Elag 3.
q Epheſ 5. 29.
r plutarc cor 2. ſ machab, 14. 16.
t 1. Sam. 31. 4 2 Sam 1. 13. mat 27. 5.

v 2 Tim 2.4

x dlutare.

Craſſus. himſelfe in councels and mony matters? Or becauſe a band of Cam-
7. Pollyb lib 1 Panian ſouldiers, who ſerved the King of Sicilie gave thēſelves to citezēs trades and occupations, having by treacherie ſeazed on *Meſana*, diſpoſſeſſed the townſmen, devided their wives, goods & lands amonge them, and a band of Romaines did the like at Rhegiū, to the diſcontentment of ſuch as choſe them to be ſouldiers, No. for the APoſtle who exhorted *Tymothy to behave himſelfe as a good & honeſt ſouldier of Chriſte*, was not to learne that there are ſome unhoneſt ſoldiers & retchleſſe of their duty. But his meaning was, that ſoldiers uſualy doe imploy themſelves on warrlike exerciſes, not on civil affaiers, or domeſtical buſines, when they are choſen once to ſerve, and in the ſame ſence did he likewiſe ſay, that a *married woman is bound by the lawe unto her huſband while he liveth*: becauſe the band of marriage is not uſuallye & ordinarely looſed but by death though it may be looſed, & is ſometimes otherwiſe, on rare onwonted cauſes. Which is apparant to have been his meaning by that he teacheth that if an *unbelivyng man, who hath a Chriſtian wife, doe forſake her then ſhe is not in bondage*. For if ſhe be not in bondage, ſhe is free to marrie: as the words of Scripture imply by the contrary, and the ‘Pope declareth. If ſhe be free to marrie the band of the former marriage is looſed, els were ſhe bound & not free. Wherefore ſith the Popes authentical record doth prove out of *S. Paul*, that a wife in ſome caſe is free to marrie another while her huſbande liveth, the Papiſts muſt acknowledg that S. *Paul* meant, the band is not comonly looſed but by death, not that it is never atal looſed otherwiſe abſolutely and ſimply. *Bell.* to fruſtrate and avoyde this anſwer, ſaith that it may be proved by foure reaſōs: which he bringeth forth poore unarmed, weake ons of his owne muſtering, & with a ſtrōge hand putteth them to flight that ſoe men imagining that theſe are all that cann be alleaged on our ſide for the proofe thereof, might thinke that our whole force is quite diſcomfited and *Bell.* hath wone the feild. I have hard ſaie that there is cunning in daubing. Surely there is cunninge in this kinde of dealing. Neither is it for nothing that once of our Glorious Champions doth vaunte that the coōmon ſorte of *Catholiques are able to ſay more for us, then wee can for our ſelves*. In deede they would bear the common ſort in hand, that their learned men in handling of queſtions and controverſies of religion doe ſet downe all obiections that can be made of our parte. And I graūt, they ſet down more thē oftētimes thēſelves can ſoūdly anſwer. Yet they uſe diſcretiō therein by ther leave: & māy a ſtrong reaſō whi h would trouble thē fowlly if it came in place, they are cōtēt to wink at & ſaie nothing of it wherto thei joyn this policy now & thē alſo, that they take upō thē to be as it were our proctors

a 1 Cor. 7, 15 ōLu dedoulo tas Eleutera eſtin ‘, ver 3, b innocent, ta t, c quanto extra de divor. in.

c Birkow. Motivo. 3.

and

and attorneys, in ſhewing what may be ſaied for us. under which pretence they bring in ſuch things as having already ſolution with the obiection, and prooving unſound, may turne to our cauſes diſcredit and to ours. So the Ieſuit here his arguement beeinge groundede on two places, the one to the Romains, the other to the Corinthians, we countermyning the whole with one anſwer: he ſaith that our anſwer maye be proved by fower reaſons, which he gathereth out of circumſtances of the former place, al ſuch as the later hath neither any kindred with, and diſcovereth them to be of no yallw. But of the reaſons, which I have brought to prove our anſwer fitting both the places, and parrely confirming that S. *Paul* might wel meane the ſame in theſe, which in the like he meant; partely demonſtrating that certainly he did ſoe, becaſe it were not true els that he teacheth of the liberty of Chriſtians forſaken of the unbelevers: theſe reaſons *Bellarmin*, doth not touch. d 2. Esd.

No marveil for they are to hot. And it is likelye that he ſtudied not what might be moſt ſtrongly ſaid in our defence, but rather what moſt weakely: that ſo he might ſeeme to ioyne bataile with us, and yet might be ſure to do him ſelfe noe harme. Letting paſſe therefore the helpe which he offereth in like ſorte to us as the Samaritans did unto the Iewes: I come unto the uniuſt & falſe accuſation, wherewith they ſought to hinder the buylding of the Temple, I meane the reaſons which he untruly ſaith, doe witneſſe our anſwer and expoſition to bee falſe. Thoſe he draweth to there heads, wherof the firſt hath two braunches: one that S. *Pauls* words are plaine; the other that they are ofte repeated. *For what is more plaine* (ſaith he) *then, that if while the man liveth, the woman take another man, ſhe is called an adultereſſe? and that & the woman is bound by the lawe as longe as her huſband liveth* Plaine I denie not. e Ezra. 4. 9

But this proofe how pithy & ſtronge ſoever he thought to ſett it in his fore-front; is already ſhewed to be no proofe at all: ſith there are plaine words in like ſentences, which nevertheleſſe muſt be expounded as theſe are by us. For what more plaine then that Who planteth a Vineyard, and eateth not of the fruit thereof? *and that* Who feadeth a flock and eateth not of the milke of the flocke? *and that* No man ever hated his owne fleſh, but nouriſheth & cheriſheth it? *and that* Noe Warfarring mā entangleth himſelf with the affaiers of life? and many other ſuch, that might be alleaged if in a thing ſo cleare it weare not ſuperfluous? Naye in theſe ſentences the woordes are more playne, then in thoſe wee ſpeake of, beecauſe thoſe have noe ſhuche marke of generality expreſſed in them, as theſe have. Wherefore if ſoe greate playnneſſe of woordes ſignede with generall tokens as it were importing that they are true in all yet cōvinceth not that they f Rom. 7. 3

g 1 cor. 7. 39.
h 1 cor. 9. 7
i Epheſ 5. 29
k 2 Tim 2. 4.
l mark 3. 21.
luck. 3. 24
Ioh 2. 10
Gal 1. 15.

are meant of all without any exception, fully and vniuerſally: how can a leſſer playnneſſe wantig ſuch efficacie, convince the ſame of thoſe in queſtion? Or if it ſhould elſwhere by reaſon of ſome difference which might ſupplie, by other wieght that this wāteth: Yet here it cannot poſſibly, becauſe S.m *Paule* himſelf as I have declared ſheweth that in one caſe the ſayings could not ſo bee true Moreover the n Papiſts hold that if a married man become a moncke before hee know his wife carnally, ſhe may lawfully take anot her huſband, while he liveth. Perphaps further, alſo that the Pope for any very weighty cauſe, maye vpon the ſame circumſtance diſpence, and looſe thē band of Marriage. At leaſt others ſelves tell vs that ſundry Popes have done ſo: and p their great Doctors hould wee may. Yet is the woman his wife who hath wedded her, or eſpouſed her onely, though ſhee hath not entred into his bedchamber. For ſhe that is betrothed, is accounted a wife by the law q of God: & cōſent, not carnall company maketh Marriage as the civill r Lawiers, s Fathers, & t Popes doe teach. The Papiſts then of all men may worſt enforce the playneſſe of S. *Pauls* words agaynſt our expoſition thē-ſelves condeſcending in caſes more then wee doe, that a woman may take anothet man while her huſband liveth, and bee noe adultereſſe. Where by agayne appeareth how wiſely and diſcreetly the Ieſuit Triumpheth with u *Auſtins* words. *Theſe words of the Apoſtle ſo oftentymes repeated, ſo oftētymes inculcated, are true are quick, are ſound, are playne. The woman beginneth not to be the wife of any later huſband, vnleſſe ſhee have ceaſed to bee of the former and ſhee ſhall ceaſe to bee of the former, if her huſband die, not if he playe the whoremonger. The wife then is lawfully put away for whordom, but the band of the former laſteth: in ſommuch that hee becometh guilty of adulterie, who marrieth her that is put away even for whoredom.*

For if theſe words of *Auſtin* bee quick and ſound a gainſt vs, then touch they poperie at the quick: ſith it may be ſayd by the ſame reaſon *The woman beginneth not to bee the wife of any later huſband, vnleſſe ſhe have ceaſed to be of the former: and ſhee ſhall ceaſe to be of the former if her huſband die not if hee waxe a Monke.*

Admitt then that the wife bee put away for monkery, yet the band of the former laſteth: in ſommuch that hee becometh guilty of adulterie, who marrieth her that is put away even for monkery, And likewiſe whatſoever thoſe weighty cauſes were, for which ſo x many Popes have looſed the bande of Marriage, thy are all controlled by the ſawe cenſure, *The woman beginneth not to be the wife of any later huſband vnleſſe ſhe have ceaſed to be of the former and ſhee ſhall ceaſe to be of the former if her huſband die, not if a better match be offered, or ſome miſlyke be conceived,* or the Pope diſpence and be well freed from it. Nay S. *Paul* himſelf muſt fall within the compaſſe of

Auſtins

m 1. cor 7. 15
n. cap vetum. Extra. de con. vers. conjugio. com. Iſſum de spōſalibus. Cōcil. Trūēt Seſs 24 can 6. Bell. toom. 1. cont: lib. 8. cap. 38.
o covarru. eper in 4. decretal Part 2 cap. 7. 9 4. catharin. de matrimon quart. utrum matri mō ante cob ſit Sacramentum et alīquz in architypo.
P. Heſticus. panormita. et alij canōniſt in. c expublico de convers. conjugator. card eniet opuſculo de matrim Mac. Madium de Sactor hom. contin lib. 5. Martin Navar. conſiliot lib. 3. de converſ. infid. conſ 1. q Deut. 22. 24. Matt 1. 20. r L. cuifucait D de conditt et domōſtrat. L Nupriarum D de reg far. ſ. Ambroſin. Ritur. virg cab 6 Aug de nupt et concup lib. 1. cap. 11 Chryſoſtō. Iſobeo Gregor. comunis e conjugo-c. qui deſponſtam. 7. 14 te ſi inreo Extra deſponſas ab cliere, c. uas dudum

Auſtins reproofe, by conſtruing his words ſo without exception, bee cauſe they are true, & quick, & ſounde, and plaine. For againſte his doctrine touching a *Suſters liberty to marry if ſhe be forſaken of her unbeliev-ing huſband*, the force of *S. Auſtins* conſequence would inferre in like ſorte: *The woman begineth not to be the wife of any later huſband, unleſſe ſhee have ceaſed to be of the former, if her huſband die, not if hee forſake her.* The Ieſuit, who uſeth ſo often to repeate, ſo often to inculcate the teſtimonies of the Fathers, ſhould deale peradventure more conſiderately, more charitably out of doubt, if before he cite them, he weighed their words better, whether they may ſtande with the truth of Scripture, & with his owne doctrine. For *Cham* diſcovered the nakednes of *Noah*, ſo doth he their blemiſhes: he who alleageth them; not wee, whom hee enforceth to ſhew why wee diſſent (tō thē: leaſt our Savious ſentence be expounded againſt us: *He that loveth Father or Mother better then me, is not worthy of mee.* But the Ieſuits meaning (you will ſay) was not to diſcredit them by laying a neceſſitie on us to refute them, what? was his meaning then by their credit to diſcredit the Scripturs, with the truth whereof their ſayings do not ſtand? For (I truſt) he meant not to overthrowe the poynts of his owne doctrine, which their ſayings croſſe, unleſſe he be of that minde which *Tully* cōdemneth as barbarous & ſauage, expreſſed in an heathniſh verſe LET OVR FRIENDS FALL, SOE OVR FOES DIE WITHALL. Howſoever it be it is plaine that the plaines of S. *Pauls* words neither doth proove the ſence therof to be ſimply & abſolutely general, the Scripture noteing an exception, neither cann be ſaide by Papiſts to proove it whoſe doctrine both alloweth that exception of Scripture, & addeth more thereto, Thus one braunch of *Bell*, firſte & principall reaſon being cutt off: the other and the reſt of his reaſons alſo are cutt off with the ſame labour and inſtrument. For whereas he ſaith *Certes it were maevell that the Apoſtel ſhould never add the exceptin of whoredom, if it were to bee added, ſeing he repeated & inculcated theſe things ſo often.* Certes wee maye ſay as wel of thoſe exceptions which himſelfe approveth that it *were mar vel the Apoſtel ſhould never add them, if they were to be added.* Though what marvel is it, S. *Paul* omitted the exception of whoredome in all thoſe two places, which he *Hath repated & inculcated theſe things ſo often*, as *Bellarmin* ſo often telleth us: when the thinge is mentioned in the former of them by way of a ſimilitude, wherein it hath been founde & beſide the purpoſe to ſpeake of any exceptiō: and, for the later S. *Paul* hath omitted the ſame exception [e] twiſe, where the Scripture ſheweth plainely and *Bell.* cōfeſſeth, it ſhould have beene added, or (toſpeake

deſponſ. duorum.

v De adulcer. coning lib. 2. cap. 4.

x matrin the 3. Eugenius the 4. Alexander the 6. Iulius the third paul the 4. & pius the 4. ac covatru. catharin. cajeran, anb Navar doe teſtifie.

y. Gen. 9. 22.

z math. 10. 37

a Pro. Deiota tro

b. Rom. 7. verſ. 2.

c. verſ. 1.

b cor. 7. verſ. 39

e. verſ. 10 et.

f math 5. 23. et. 19 9.

more properly) where al though it needed not to be added, yet must it needs bee understoode; Now to that *Bellarmin* doth next alledg the Fathers [g] *Ambrose, Chrysostome, Theophylact, Theodoret, Oecumenius, Primasius, Anselmus* and others over and besides [h] *Austin*, [i] *Origen*, and [k] *Jerom*, all as bearing witnesse that weel expound the places falsly: I could reply that some of these whatsoever they witnesse have small credit with *Bellarmin* as *Ambrose*, specially: some, namely *Chrysostome, Theophylact, Theodoret, Oecumenius*, and *Primasius* doe not witnesse that no more then *Paul* himself doth: Nay they all save one are cõtrary minded rather as shall appeare in due place: But that which I have sayde already touching *Austin*, may serve for answer to the rest: chiefly sith the Papists in whose behalf they are alleaged, will rather yeald that all the Fathers might erre then any of their Popes. [m] who yet must have erred in more, then one Canon, if this were true which *Bell*, fathereth on the Fathers: Finally, concerning that for the vpshoote hee vrgeth *Pauls* similytude as if the [u] drift of it did absolutely require that the man and wife can not bee made free from the *band of Marriage* by any seperatiõ but by death onely, because while the law had life as it were and stoode in force till *Christe the Iewes could never shake off the Yoke thereof from thẽ, although they endevored to seperate them-selves from it by committing whoredõ with sundry lawes of salse Gods*: the rest of S. *Pauls* similytudes which I mẽcioned, doe bewary the lameness and halting of this inference: seing that the drift of them requireth absolutely by the same reason that no man went to warfare at his owne cost, or planted Vynes, or fedd theepe without relief thereby, because all they [p] *Who preach the Gospel are allowed to live of the Gospel*. And likewise *that no man did ever hurt his owne body*, because [q] *Every husbãd ought to love his owne wife as Christ loved the Church* and likewise that *no souldier hath ever entangled him-self with the affayres of life* because *Timothee* should bee stil about those actions, whereto the Lord who *choose him to be a souldier*, did call him. Nay to goe no farther then the drift it self or the similytude, which *Bellarmin* doth vrge, if it requier absolutely that the band of Marriage may bee no way looseed but onely by the husbands or the wives death: then neither is it looseed if the vnbele ever doe forsake the Christian: neither if the husband become a Monke or the wife a Nunne: neither if the Pope see cause, to dispence with either of them. And will not this fansie of his about that drift drive him in to greater inconvenieence yet: to weet, that every woman, whose husband is dead ought to marry another, because the Iewes were bound to become Christiãs after the death of the Lawe? or of the other, sidẽ that the Iewes are not bound vnder payne of damnatiõ to become Christians, because no widowe is bound vnder payne of death

g, In rerum quę locum pauli.
h Loco citato
i In math 19.
In epist ad Amand.

In the third Chapter.

m Alexander the third Pius the fourth & ein the canõs above cited out of the decretals & the councell of Trent.
nt Rom. 74

o 1. Cor. 9. vers 6.
p, vers 14
q, Ephes 5, 33

1. Ephes 5, 25

r 2 Tim 4 2.
t 2. Tim. 2-3.

death to take another husband? or (if these absurdities bee not great enough) that dead men ought to marry, because *The Iewes by duty should be vnto Christ, whē they were dead to the Lawe?* or that the men of Rome to whom S. *Paul* wrote, should rather not beleeve in *Christ*, because he wished widowes rather not to marry? Of the wich consequences if some bee esteemed errone ous by Papists, some not esteemed onely, but are so in deede, the most have impious folly ioyned with vntruth: Let *Bellarmin* acknowledg that similitudes must not be sett vpon the racke, nor the drift thereof bee stretched and pressed in such sorte, as if they ought iust in length bredth and depth to march & fitt that whereto they are resembled. It sufficeth if in a generall analogy and proportion of the principall poynt wherein things matched, and compared together; they bee eche like to other, and both agree in one qualitie. Which here is observed in S. *Pauls* comparison of the state of Marriage, with the state of man before and after regeneration: because as a wife her husband being dead doth lawfully take another, and is not an adulteresse in having his company to bring forth fruite of her body, to him: soe, regenerate persons, their naturall corruption (prouoked by the law to sinne) *and flesh being mortified* are ioyned to the Spirit (the force of *Christ* working in them) as it were to a second husband that they should bring forth *fruite (the fruites of the Spirit) vnto God.* And thus seing neither the drift of the similytude, nor the iudgement of the Fathers, nor the playnesse of the wordes so oftentymes repeated, doe disprove our answer and exposition of the place: our answer proved by Scripture standeth firme and sure & therefore the third place by our adversaries, is sutable to the former.

v. Rom. 7. 4

x. 1. Cor. 7. 8.

y Rom. 7. Aet. 2. 3

z. vers. 4. & 5.

So is the fourth & last; taken out of the first to the Corinthians the seaventh Chapter. *To them who are Married, it is not I that giv's commaundement, but the Lord: Let not the wife depart from her husband: but if she depart too, let her remayne vnmarried, or bee reconciled vnto her husband. Wherein* (as Bellarmin reasoneth) *the words of* S. Paul, *If she depart, &c. so forth are meant of a woman which parteth from her husband vpon a cause of iust divorcement, as namely for Whoredom, hatresie, and the rest whatsoever they bee, & not of her which parteth without any such cause. But concerning her of whom the words are meant,* S. Paul. *sayth most playnely shee may not marrie another. Therefore even a cause of iust divorcement looseth not the band of Marriage neither is it Lawfull for married folkes to marry others, al though they be severed & put a sunder by iust divorcement.*

And of this argument *Bellarmin* doth say that it is altogether insolible. In saying wherof he seemeth to confesse that none of the former arguments were so, but might bee answered and confuted. His confessiō

touching them hath reason with it I must needs approve it. But his vaunt of this is like that of b *Benhadads that the dust of Samaria would not bee enough to all the people that followed him for every man an handfull.* To whom the King of *Israel* sayde, *Let not him that girdeth his harnes, boast him self as hee that putteth it off.* *Bellarmin* hath scarcly girt his harneis yet, & that which hee hath girt, is vnserviſable bad harneis too.

b 1. King. 20 16.

For the formoſt parte there of, his propoſition a vouching that the words *If ſhee depart, and ſo forth, are meant of her onely which parteth from her husband vpon a iuſt cauſe of divorcement, as namely for whordom hereſie, and ſuch like*, is faulty ſundry wayes: ſeing they are neither meant of her onely which parteth for a iuſt cauſe; and though they bee alſo meant of her which parteth for any other iuſt cauſe, yet not of her which forwho redom.

Moreover the concluſion knitting vpp his argument with *Therefore even a iuſt cauſe of divorcement looſeth not the band of Marriage*, is guilfully ſett downe: being vttered in the forme of a particular, and true ſo, taking divorcement as hee doth; but intended to carry the force of a generall, ſo by fraude and faulſhood to beare away the poynt in queſtion. Of both the which to treat in ordre, his propoſition he preſumeth of as moſt certayne, becauſe in (his iudgment) *Paule would not have ſayde of her who departed without ſome ſuch cauſe, Let her ramayne vnmarried, or bee reconciled vnto her huſbād; but hee would have ſayde, Let her remayne vnmarried till ſhee bee reconciled vnto her husband, & let her come agayne vnto her husband in any caſe.* And why doth *Bellarmin* thynke ſo? His reaſons follow. For *Paul* could not permitt *an vniuſt divorcement agaynſt the expreſſe commandement of the Lord.*

And, *if in the ſame Chapter* Paul *permitteth not the man and wife to refrayne from carnall company for prayers ſake, and for a tyme, except it bee with conſent: How ſhould hee permitt the wife to remayne ſeperated from her husband agaynſt his will, without any caſe of iuſt divorcement.* In deede if it had lyen in S. *Pauls* power to ſtay & refraine the wife from remayning ſoo: no doubt hee neither would nor might have permitted, which himſelf ſufficiently ſhewed in forbidding her to depart at all, much more to cōtinue parted from her husband. But d if not withſtanding this charge and prohibition ſhe did leave her husband vpon ſome lighter cauſe; or perhaps weightyer though weighty enough for a iuſt divorcemēt: thē *Paul* in duty ought and might (I hope) with reaſon requier and exhorte her to remayne vnmarried, and not to ioyne her ſelf in wedlok with another, a thing that e Greekes and f Romayns (whoſe of-ſpring the g Corinthias were) vſed to doe. As (to make it playne by the like examples (S. *Paul* neither might neither wold have allowed a inā to be raihly angry with his

e 1. Cor. 7. verſ. & 10. d. verſ. 11.

e Diodor. Siculilib. 12.
f Iuvenael. Satyr. 6 Sic fiunt octo mariti Quinque per autumnor
g Strabe Geographi & Pauſenias corinth.

his brother: for h *Christ* forbiddeth it. But if one were ſuddenly ſurpriſed with raſhe anger, S. *Paul* wold adviſe him *not to let the ſunne goe downe vpon his angry wrath*: neithe might hee therevpon bee iuſtly charged with permitting wrath vn till the ſunne ſett agaynſt *Chriſts* commandement. n Math 5.22 i. Ephes. 4.26

No more might hee with graunting liberty to luſt, becauſe he k willeth *men not to fulfill the luſts of the fleſh*; whereas l Chriſt cõmandeth thẽ not to luſt at all. For S. *Paul* alſo m condemneth all luſting of the fleſh as ſinne. But ſeing that the *fleſh will luſt agaynſt the Spirit*, as lõg as wee are in this mortality: he ſtirreth vp the fayth full that they o *let not ſinne raigne in their mortall bodyes nor doe fulfill the luſt of the fleſh*. In the ſame ſort therefore hee giveth charge with *Chriſt that the wife departe not fro her huſband*, Yet in conſidration of hum aine infirmity he addeth *But if ſhee departe too, let her bee vnmarried*, And to meete with a doubt which herevpon migh riſe ſith in the next words before he had affirmed that they who have not the gift of coutinence ſhould marry and what if ſhe have it not? hee adioyneth farther, p or *let her be reconciled vnto her huſband*. So that al though the words may ſeeme to be vttered in the ſame ſorte, as if they did imply and import a permiſſion, yet are they not permiſſive, but imperative in truth, and an expreſſe precept, that the wife having forſaken her huſband and there in downe evill for beare to marry another, for that were farre worſe yea though ſhe can not contain; in reſpect where of or of any thinge els if ſhee miſlike to live vnmaried, ſhee may not uſe the liberty that ſiugle folke may, who reather ought to marrie then burne, but ſhee q muſt reconcile her ſelf vnto her huſband, whoſe wife ſhee is by duty ſtill. And I may ſay likewiſe doubtles vnto *Bellarmin* that he & his pamphletter ſhonld not have maynteyned their error in writting: but ſith they have done it let thẽ write no more in defence of it, or let them acknowledg that in this poynt they were deceived. For whereas q they gather of the diſjuctive particle *Let her remayne vnmarried, or bee reconciled*, that S. *Paul* hath put it in the womans choyſe & left her at liberty, either to live ſeperated ſtill from her huſband, or to be reconcild vnto him; they might as well grounde vpõ *Chriſts* words to the angell *of the church of the Laodiãs I would thou were ſt cold or hot* that hee hath put it in our choiſe & left vs at liberti either to bee colde in faith and love, as fleſh is, or to bee fervent in the ſpirit. Yet *Chriſt* had no ſuch meaning. For he commaund th vs to bee fervẽt & in that verie angell he ſaith to everi faithfull mã. *Be hot & Ze alõs*. But becauſe the partye was luke warme, a wordling who had received the ſeede of the word but bare not fruite, who knew his maiſters will, but did it not and there by ſinned moſt grievouſly; *Chriſt* wiſheth k Gal. 5.16 l. Matth. 5.28 m. Rom. 7.8. n Gal. 6.17. o. Rom. 6.12. p. 1. Cor. 7.9. r Moneta Agamos q Which Bellarmin doth not onelie in this quaſtion cap. 6. but alſo in the next, before c. P. 14. r Revel 3.15. 3. Zeſtos. 4. Zeontes. Rom. 12.11. 2 Relation Rev. 3.19. t Matth. 25.29. t Luk 12.47.

that hee were colde and ſinned leſſe ; ſith hee did ſinne , or that hee were hot and free from both theſe faults, the later wiſhe made ſimply the former in compariſon. After the which manner ſeing *Paul* might well , and did by all likelyhood of circumſtances of the text , wiſhee ſimply and cheifly that the wife eſtranged were reconciled to her huſband, next that ſhee continued rather parted from him , then married to another as a leſſe evill in compariſon : the vttering of his ſentence with a diſiunctive particle *Let her remayne vnmarried, or bee reconciled*, doth not prove hee put it in the womans choyſe and left her at liberty to doe wether ſhee liſted. And thus it appeareth how certaine and vndoubted that principle is , which [6] vpon this prooſe *Bellarmin* avoucheth to bee moſt certaine and vndoubted: that *S. Pauls* words touching the wife *If ſhee depart* , are ment of her onely *which parteth* from her huſband *vpon a iuſt cauſe of divorcement*. How beit if they had bene meant of her onely : yet muſt they have touched ſuch wives as leave their huſbands for any other juſt cauſe, and not for whoredom , Another and greater overſight of *Bellarmin*, that in exemplifing the cauſes of divorcement to which in his opinion the words ſhould be reſtrayned, hee nameth whoredom firſt, as principally compriſed in S. *Pauls* precept; where as S. *Paul* meant that it and it alone , ſhould be excluded and excepted.

[6] Loquitur ex ſuiue vſu dubio &c.

For theſe are his words. [v] *To them who are married, it is not I that give commandement but the Lord, Let not the wife depart from her huſband but if ſhee departe too, let her remayne vnmarried, or bee reconciled vnto her huſbād & let not the huſband put away his wife,*

[v] 1. cor. 7. 10

Where in the laſt braunch *Let not the huſband put away his wife* , muſt needes bee vnderſtood *except it bee for Whoredom* becauſe S. *Paule* ſaith it *is the Lords commandement*, and [x] the Lord gave it with that expreſſe exception This *Bellarmyn* doth graunt. Well, Then as the laſt braunche ſo the firſt too let not the wife depart from her huſband; For the analogie is all one: and [y] etche having intereſt in the others bodie , ſhee may as lawfully depart from an adulterer, as hee from an adultereſſe. And this doth *Bellarmin* graunt alſo. But the middle braunche is to bee vnderſtood of the ſame departing, and likewiſe qualified as the firſt, Therefore, *If ſhee depart too, is meant, except it be for whoredome*. Nay, not ſo quoth *Bellarmin*: for the ſame departing is not *meant, in both , but a farre different, in the firſt an vniuſt departinge, in the next a iuſte , and this muſt be the ſenſe of the Apoſtles Wordes, Not I, but the Lord geve commandement let not the wife depart from her huſband, to weet without a iuſt cauſe: but if ſhee goe away, to weet having a iuſt cauſe, let her remayne vnmarried, & ſo forth.* In the refutation of which wrong & violence done vnto the ſacred text what

[x] Mar 5.32. & 19 9.

[y] 1. cor. 7. 4.

what ſhould I ſtand? when the onely reaſon, whereby out of Scripture hee aſſayeth to proue it, is the diſiunctiue particle, which as I haue ſhewed alreadie, hath no ioynt or ſhew of proofe to that effect. And [z] the onely father, whoſe teſtimony, hee citeth, for it, doth ground it on that diſiunctiue particle of Scripture. So that his reaſon being ouerthrowen, his credite and authoritie, by [a] his owne [b] approued rule may beare no ſway. And on the contrarie parte, [c] many other fathers doe expound the ſecond braunche as having reference to the ſame departing that is forbidden in the firſt. And (which is the chief point) the naturall drift and meaning of *S. Paules* words doth en force the ſame. For the tearmes; [7] *But, if, too,* importe that doing alſoe of that which in the ſentence before hee had affirmed ought not to bee done: As [d] the like examples in the ſame diſcourſe (to go no farder) ſhewe; yea [e] one having one [8] parricle leſſe then this hath to preſſe it therevnto. *It is good for the vnmarried & Widowes, if they abide euen as I doe: 9 But if they doe not contein, let them marry. The woman which hath an vnbeleeving huſband, and hee conſenteth to dwell with her, let her not put him away: 1 but if the vnbeleeving depart, let him depart. Art thou louſed from a wife? ſeeke not a wife: 2 But then marrie alſo, thou ſinneſt not. This I ſpeake for your profitt, that you may doe that which is comely? But if anie man thinke it vncomely for his virgin if ſhee paſſe the time of Marriage, let him doe what hee will. The wife is bound by the law as long as her huſband liueth: 4 but if her huſband bee dead, ſhee is at liberte* And ſoe forth. In all the which ſentences ſith the clauſes brought in with thoſe coniunctions haue manifeſt relation to the things ſpoken of before, & touch them in the ſame ſenſe, the braunche that is inqueſtion having like dependance, muſt in all reaſon be conſerued of ſame the departing that the former. Thus it being proued that S. *Paul* commanding the wife to remayne vnmarried if ſhee be parted from her huſband, did meane, *Except it were for whoredom*; it followeth that *Bellarmins* propoſition is faultie even in this alſo that hee nameth whoredome among the iuſt cauſes of the wives departing here meant by S. *Paul*. Now in this concluſion inferring herevpon that even a iuſt cauſe of divorcement looſeth not the band of marriage, he is deceitfull, as he was falſe in his propoſition. For the word *Divorcement*, being vnderſtood, as it is by him, for anie ſeperation and parting of the man and wife, though from bedd onely, and for a certayne time: There may be ſundry cauſes why, ſuch a ſeperation ſhould be allowed or tollerated, when as the band of marriage ſhall neverthleſſe endure ſtill. And ſo the ſimple reader were likely to imagine that *Bellarmin* had concluded a truth & to purpoſe.

But the poynt where with he ſhould haue knit vp his diſpute, and which hee would haue men conceyve and beare away as if theſe

z Auguſtin de adul con iug cap 1.2.3 et.

a Auguſt epi. 9 ad Heron Ego ſolis

b Chryſoſtom Ambroſe primus Theodoret Theophylact and Oecumenius Ean de kai.

c 1 cor 7 vers 15.20.39 et

7 Namely.

8 Eide

9 Eide

1. Eide.

2. Ean de kai.

3 Eide.

4. Ean de g

words implyed it, *is that no iuſt cauſe at al of any divorcemēt doth looſe the bād of marriage, & therefore neither whoredom.* The falſhood whereof ſe woulde have bee as cleare as the ſunne-ſhine at noone-day, the prpoſitiō being ſo evidently falſe wheron it is in ferred. And this is the argument that *Bell.* ſet his reſt on: th: inſoluble argument, even altogether inſoluble, the ground wherof he termeth 6 a demonſtration a moſt invincible demonſtration: againſt the which nothing (ſaith he) can be obiected, but an inſufficient reply, made by *Eraſmus*, to weet, that *Paule* ſpeaketh of an adulterous wife, who therfore being caſt out by her huſband is charged to ſtay unmarried, the innocent party not ſo charged. Which ſpeaches of th: Ieſuite come from the like veine of a vauntinge ſpirit as thoſe did of his cōplices, who boaſted that 8 the Spainyards Armadoes & navy ſhould finde but weake & ſilly reſiſtans in England; and callede their armay ſent to conquer us, an invicible armey. For as they diminiſhed by untrue reports the forces prepared: To meete & encountere with the ſpaniſh power: ſo *Bell.* by ſaying that nought can be obiected beſide that he ſpecifieth; yea farder by belying and falſefing of *Eraſmus*, 9 who contrariewiſe replieth that *Paul* doth ſeame to ſpeake of lighter diſpleaſiurs for which divorcement then were uſual, not of ſuch crymes as adultery. Moreover by the ſubſtance & weight of my replye to his inſoluble argument, the Godlye wiſe indifferent eye wil ſee (I truſt) that the knotts & ſtrings therof are looſed & brokē: even as the invincible armey of the *Spainyards* was by Gods providence ſhewed to bee Vincible without great enoūtering; the carkeſes and ſpoyles of their ſhips & men upon the Engliſh, Scottiſh, & Iriſh coaſts did witneſſe it. *So let all thyn enemies periſh, O Lord, and let them who love him be as the ſunne when he goeth forth in his ſtrength.*

5 Argumentū plane inſolubile

6 Iuſtiſſima demonſtratio

7 Vnum et alterum quodobiici poſſet.

8 In the yeare of Chriſt. 88.

9 Anuot in 1 Cor. 7. De leviorib. offenſis, non degravibus Flagitijs.

The third Chapter.

The conſent of Fathers, the ſecond pretended proofe for the Papiſts doctrine in this poynt, is pretended falſly: & if all be weighed in an even ballance, the Fathers check it rather.

AFter the forſayd teſtemonies of Scriptur urged by our adverſaries in the firſt place for the cōmending of their errour: Secondly, *the ſame truth* (ſaith the Ieſuite) *may be prooved by tradition.* By which his owne ſpeech, if we ſhould take advantage of it, he graunteth all that I have ſaide againſte his argumentes drawen out of the Scripture, and ſo farre forth agreeth with us. For what underſtandeth he by the word *Tradition?* A Doctrine not written, as himſelfe profeſſeth in his firſt

10 Tom. 1. cont. Lib. 4. cap 2

controverſie

controuerſie. Where having noted that al though the word tradition bee generall & ſignifieth any doctrine written or vnwriten, which one imparreth to another, yet divines, and almoſt all the auncient fathers, applie it to ſignifie vnwritten doctrine onely. *And ſoe will wee hereafter vſe this word* ſaith hee. If the point in quiſtion then may be proved (as *Bellarmin* affirmeth it may) by tradition: We might conclude it is not written in the ſcriptures by his owne verdict, & therefore all the ſcriptures alleaged by him for it are alleaged falſly. But hee ſemeth to vſe the name of tradition in like ſort, as b *Vincentius Lirmenſis* doth, calling the doctrine delivered by the church the *Churches* tradition. This to bee his meaning I gather by the reaſon that hee addeth ſaying *for there are extant the teſtimonies of the fathers in all ages for it*. The Pamphletter in other words, but more peremptorily to avouch the proofe thereof by the opinion & cenſure of all ages, affirmeth, *he will ſhewe that it was never thought lawfull ſince Christ, for Christians divorced for fornication to marry anie other while both man & wife lived*. That it was never thought lawfull ſince *Christ*, is a boulder ſpeeche them *Bellarmin* doth vſe: though to hitt the marke as it were with his ſhaft, hee muſt and doth imply as much in that hee ſaith it may be proved by tradition. For tradition hath not force enough to prove a thing to be true, not in the Papiſts owne iudgment, vnles it have bene alwaies approved and agreed on by the generall conſent of *Fathers*, (as we tearme them) Paſtors and Doctors of the Church. Which I affirme not vpon the generall rule of c *Vincentius* onelie ſo greatly, and ſo often praiſed by them as golden: But upon the *Canon* of the *Trent* Counſel and pillars of the popiſh Church ſubſcribing to it. For d the Counſel of Trent commanding that noe man ſhal expound the Scripture againſt the ſence that the Church houldeth or againſt the Fathers conſentig al in one, doth covertly graunt, that if the *Fathers* conſent not all in one, their opinion may bee falſe, and cõſequently, no ſure proofe of a pyont inqueſtion. *Andradius* e doth open & avouch the ſame in his defence of the Counſel: a worke verye highly commended by f *Oſorius*. And *Canus* ſetteth downe for a concluſion, that many of them conſenting in on can yeld noe firme proofe, if the reſt though fewer in numbre doe diſſent. Yea h *Bellarmin* himſelfe ſaith that there can no certainty be gathered out of their ſayings, when they agrie not amonge themſelves. It is a thing graunted the by our adverſaries that the Fathers have not ſtreugth enough to proue ought unleſſe they al conſent in one. But the Fathers doe not conſent in one about the poynt we treat of, as it ſhalbe ſhewed. Our adverſaries therfor muſt graunt that the opinion which they hould in this poynt, cannot be proovede by Fathats. Nay they are in daunger of beeinge enforcede

b cont hæreſ. cap. 1 et 4.

d Seſſion. 3 c cap. 3 et 4.

e Deſen Fidei Tridē lib 2. f Epiſt ad vtil verſum Chriſtianam reſyn. præfixa Andr.

g Locor Theolog l. 6. c. 2.

h Tim 2 con 3 lib. 4. cap. 8

to graunt a farther matter, and more importing them by the conſeqẽt hereof. For through a decree of Pope *Pius* the fourth, the profeſſors of all faculties, & all that take degrees in any popiſh ſchole are bound by ſolemne oth that they ſhall never expound & take the Scripture but according to the Fathers conſenting all in on. Wherfore how will *Bell.* perhaps the pamphletter alſo if he have been amogſt them and taken any degree, but what ſhift will *Bell.* and his Fuetfellows finde to ſave thẽ ſelves from periury, when it ſhalbe ſhewed that many of the Fathers gaiuſay that opiniõ, which himſelfe and his expound the Scriptue for? And what if it appear, that the greater number of Fathers doe ſo? not the greater onely: but the better alſo, and thoſe whoſe grounds are ſure Then all the probability, which Fathers can yealde will turne againſte the papiſts: and that which our adverſaries would proove by Traditi-on, and the conſent of all ages wil rather be diſproved thereby. But howſoever men be diverſly perſuaded touching the number & qualety of the Fathers enclining this: or that way, by meanes of ſundry circũſtance which may breade doupt both perticularly; of certaine, and of the whole ſumme in generall: the maine and principall poynt remaining to be ſhewed, namelly that the Fathers *conſent not all in one for the papiſts doctrine*, is moſt cleare and evident out of all controverſie. In ſoemuch that many even of them alſo whom *Bell.* alageth, and the pamphletter after him, as making for it, make in deed againſt it: and thoſe of the chiefeſt and formall rancke eſpecially, in the firſt, the ſecond the third, the fourth hundred yeares after Cheiſt. All the which agree & teach with one conſẽt that the man forſaking his wife or her adultery, is free to marry again: ſave ſuch of them onely, as in this verry poynt of doctrine touching marriage, are tainted with error by the iudgement and cenſure of Papiſts themſelves. A token of the vanetie & folly of our adverſaries *Bellarmin.* and the Pamphletter: who by naming one at leaſt in everie age, would needes make a ſhewe of having the conſent of all ages with them, whereas it wilbe ſeene here by that in many we have the moſt and beſt; and they, either none at all, or none ſound. For in the firſt hundred yeares after *Chriſt* all that *Bellarmin* ſayth they have, is the teſtimony of Clemens in the Canons of the Apoſtles [k] where the man is willed without auy exception *to bee excommunicated, who having put away his wife doth marrie another.* Nou beſide that *Clemens* vpon whom *Bellarmin.* fathrreth, thoſe canons, is inriued therein. As for the later parte of them[l] himſelf ſheweth [m] his freind for the former, neither are they of *Apoſtelique* antiquitie and authoritie not witſtanding theyr title, as [n] many Fathers eſtifie, and Papiſts will acknowledg when they are touched by them:

The

1 Septimi de cretalium lib 3 tit 5 cap. 2.

1 Niſo juxta vuamimem conſenſum Patrum.

2 As Parſons by name Edi tom con part 2 con quæſt 4 & canſius. catechiſm de matrimon. ſactam quæſt 3 & Navarrus in cap divort de pe int diſt. 1 & their ſeminatio ſcholais.

k Canon 48 1 Tom. 1 L conti 7. ca 20 mer Lorenſis) otherwiſe called Torriſ a lotuit li de 6 et 8 Synod.

n Pope Gelaſius the firſt, ſhould aſſembled to accẽpelle Sets Romans diſt. 15

The author of the Canon had reſpect therein (by all probabilitie) to the Apoſtolique doctrine receyved from *Chriſt*, and therefore though he made not an expreſſe exception of divorce for whoredome, might as well imply it, as I have declared that ſome of the *Euangeliſts*, and *S. Paule* did. Which the interpreters alſo of thoſe Canons [p] *Zonaras* and *Balſamon*, thought to bee ſo likely and more then a coniecture, that they expound it ſo without any ſcruple. *Balſamon* in ſaying *that hee who putteth away his wife without cauſe may not marrie another*; and *Zonaras that hee who marrieth a woman put away without cauſe by her huſband doth commit adulterie.* Or if theſe writters miſtooke the authours meaning, and in his opinion no man, howſoever his wife were put away, with out or with cauſe, might lawfully marrie another: the take this with all, that [q] hee ſharſe allowed any ſecond marriage, but controuled the third as a ſigne of intemperance, and condemned flatly the fourth as manifeſt whoredom. Which al though [r] a Ieſuit goe about to cover & ſalve with gentle gloſes like [s] the falſe prophets, *Who when one had built up a mudden wall did parged it with vnſavorie plaiſter*: yet ſith that counterfait *Clemens* woorke did flowe out of the fountaines of the *Gretians*, as [t] a great hiſtorian of Rome hath truelie noted, and among the *Gretians* many, held that errour, as it is likewiſe ſhewed by a [u] great Sorboniſt; the likelyhood of the matter, & ſpring whence it procedeth agree ing ſo fitly with the naturall & proper ſignification of the words, will not permitt their blackneſs to take any other hewe, nor ſuffer that profane ſpeech of I know not what *Clement*, to be cleared from plaine contradiction to [x] the word of God. Wherefore the onely witneſſe that *Bellarmin* produceth out of the firſt hundred yeares, doth not helpe him. Out of the ſecond hundred he produceth three; *Iuſtinus*, *Athenagoras* and *Clemens Alexandrinus*. The firſt of whom *Iuſtinus* praiſing the compendious briefnes of *Chriſtes* ſpeeches rehearſeth this amongſt them: *Whoſo marrieth her that is divorced from her huſband, doth commit adulterie.* Meaning not as *Bellar.* but as *Chriſt* did: who excepting whoredome in the [z] former braunche of that ſentence, vnderſtoode it likewiſe in this, as I have ſhewed. And how may wee know that *Iuſtinus* meant ſoe? By his owne words, in that [a] hee commendeth a godly *Chriſtian* woman, who gave to her adulterous huſband [b] a bill of divorcement ſuch as did looſe that band of matrimony, and ſaith concerning him that [4] hee *was not her huſband afterward*. The next [c] *Athenagoras*, affirmeth (I graunt) that *if any man being parted from his former wife doe marrie another he is an adulterer*. But *Bellarmin* muſt graunt with all that *Athenagoras* affirmeth it vntruly: conſidering that hee ſpeaketh of parting even by death too, as well as by divorcement, & teacheth with the

o Cæſar Baronius Annalus Eccleſiaſtes tom. 1. ad annum Chriſti 58.

p Commētin Conon. Adoſt

q Apoſt conſt lib. 5 cap. 2

r Fr. Turrian. annot in Apoconſt clemēt Back 3. 10.

t Barenius Annal eccle. tom. 1. ad annū Chriſti 57

u Eſpencæus li. de conti nētia 9. ca 16

x 1. cor. 7. 9.

y Apolog ad Anto impera 2 math. 5. 32. et 10 9

z Apolog. d fen. tū Romā 10 leg menō par kumin repudium 9 L diuimitur I divort. ū D. de diverſis et repudijs.

a I. de tautes p. teaner Eu ſeb eccl hiſt lib 4. cap 17

c Apolog pro chriſtianis.

d Tertull. de monogam. Epiph. hæres. 48. August. de hæres. cap. 26. Decontinen. lib. 3. cap. 17.

Noted in part by Espenæus himself ibid. ca. 9. & Epipha. here. 48. et 47. Augur. de hæres. cap. 6.

f Strom. lib. 2. & Strom. lib. 3.

g Hist. Eccle. Magdeburgenses, Cent. 2. cap. 10.

h Egnatius Pium rat. in cap. sancta Romana dist. 3.

i Variar. resolut. lib. 9. cap. 17.

k Adversus marcion. lib. 4. ex eadem utique causa qua non licet dimitti uxorem adulteram, illam dimissam manenti matrimonio nihil obest. Ipsum est.

l Epit. in 4. lib. decretal. Part. 2. cap. 7. D. 6.

p. *Montanists* that whatsoever second marriage is vnlawfull, Whereupon a famous *Parisian* Divine e *Claudius Espenseus* saith of this same sentence of his which *Bellarmin* citeth, that it favoureth rather of a Philosopher then a *Christian*: & may wel be thought to have ben inserted into his worke by *Encratites*. A censure, for the ground thereof very true that the said opinion is a Philosophicall fansie, yea an heresie; Though the wordes seeme rather to be *Athenagoras* his owne, as f sundrie fathers speak dangerously, that way thē thrust in by *Encratites*, g who generally rieected all marriage, not second marriage onelie. *Athenagoras* therefore worketh small credit to the Iesuits cause, As much doth the last of his witnesses h *Clemens Alexandrinus* For both in this point about second marriage hee matcheth *Athenagoras* & otherwise his writings are tainted with vnsoundnes, and stained with spott of errour. Which iudgment not onely k Protestants of *Germaine* have in our remembrance lately, geven of him, though a l Iesuitical spirit doe tradnce thē insolently, for it: But m an auncient Pope of Rome with seaventie bysshops assembled in a Councell above a thowsand yeares since, and a Byshop of Spaine a man of no small reputation with Papists for skill both in divinitie and in the Canon law n *Didacus Covarruvias* doth approve the same, Now in the third hundred yeares (to goe forward) *Tertullian* & *Oregen* are brought forth to averre *Bellarmins* opinion, of whom one question lesse cōtrolleth, perhaps both. For *Tertullian* disputing against the heretique Marcion, who falsly obiected that *Christ* is contrarie to *Moses*, because *Moses* graunted divorcement, *Christ* forbiddeth it, answereth *that Christ saying, whosoever shall put away his wife and marrie another, committeth adulterie, meaneth undoubtedly of putting away for that cause, for which it is not lawfull for a man to putt away his wife that hee may marrie another. And likewise for the wife, that he is an adulterer, who marrieth her being put away, if shee bee put away vnlawfully: considering that the marriage, which is not rightly broken off, continueth; and while the marriage doth continue, it is adulterie to marrie.* Which words of *Tertullians* manyfestly declaring that a man divorced from his wife lawfully, for the cause excepted by *Christ*, may marrie another, *Bellarmin* doth very cunningly and finely, cut of with an *et cetera*, and saith that there he teacheth that *Christ did not forbid divorcement, if ther be a iust cause, but forbid to marry a gnine after divorcement.* So directly against the most evident light of the woordes & tenour of the whole disconrse: that lerned men of theire owne side, though houlding his opinyon yet could not for shame but graunt that *Tertullian* maketh against them in it. For p bishop *Covaruvias* mentioning the Fathers who maintein that man may lawfully marry againe after diuorcement for adultery, nameth *Tertullian* (quo

tin

ting this place) among them, *Sixtus Senensis* a man not in feriour in learning to *Bellarmin* in sencere dealing for this point superiour, confesseth on the same place, and on those same words (but recited wholy, not clipped with an *et cetera*) that *Tertullian* maketh a certayne & vndoubted assertion thereof. [t] *Pamelius* in deede through a desire of propping vp his churches doctrine with *Tertullians* credit, saith that though hee seeme *here to allowe divorcement for adulterie in such sort, as that the husband may marrie another wife: yet hee openeth himself, & holdeth it to be vnlawfull in his booke * of single marriage*, Wherein he saith some what, but litle to his advantage. For *Tertullian* wrote this booke of *single mariage* when he was falle away from the Catholique, saith vnto the heresie of *Montanus*: and so doth holde therein agreably to that heresie, *that is vnlawfull to marrie a second wife howsoever a man be parted from the former by divorcement or by death*. But in that hee wrote, while hee was a Catholique against the heretique Marcion, he teacheth cõtrariwise the same that wee doe, as *Sixtus Senensis* and *Covarruvias* truely graunt, Yea *Pamelius* himself if he looke better to his owne notes, doth graunt as much. For [u] he saith that *Tertullian vseth the worde divorcement in his proper signification, for such a divorcement by which one putteth away his wife & marrieth another*, But *Tertullian* saith that *Christ doth avouche the righteousnes of divorcement*. *Christ* therefore avoucheth that for adultrie a man may put away his wife & marrie another by *Tertullians* iudgment. Which also may be probably thought concerning *Origē*: *Although it be true* [v] *hee saith* (as *Bellermin* citeth him) *that certaine byshops did permitt a woman to marrie while her former husband lived, and addeth, they did it a gaynst the scripture*. For hee seemeth to speake of a woman divorced from her husband, not for adulterie, but for some other cause, such as the *Iewes* vsed to put away their wives for, by giving them a bill of divorcement, The matter that he handleth, and cause that he geveth thereof doe lead vs to his meaning. Approved by the opinion of certaine learned mẽ to. For after he had said (according to [x] the words of *Christ* which he expoũdeth) *that Moses in permitting a bill of divorcemẽt did yeeld vnto the wakenes of thẽ to whom the law was gevẽ*; he saith that, *the Christian byshops who permitteth a womã to marrie while her former husband liveth, did it perhaps for such weaknes*. wherfor sith in saying that, *this which they did, they did perhaps for such weaknes*, he hath relatiõ vnto that of *Moses*, & *Moses*, as he addeth) *did not graũt the bill of divorcemẽt for adulterie, for that was punished by death* it followeth that the Byshop whom *Origē* chargeth, with doing against the scripture did permitt the womã, to marrie vpõ divorcemẽt for some other cause, not for adulterie & so his reproving of thẽ doth not touche vs, who graũt for adulterie only. Thus doth

q Bibliothe. sanct. lib. 6 ver. 8.

r Annotatio ib adversus marcion cap. 3. et parad. 8 Tertul. 10

s de Monogamia.

t Hierom in catalogo scriptor eccles. et in ad Tit. c. 1. Pamel. argum. lib. de monogamia et annotat. cap. 9.

u Annotat. in lib. 4. adversus marcion cap. 34.

v Tract. 7. in math. cap. 19.

x math. 19. 8.

y Annot in 1 Cor 7.
z Origē tract 7. in math.

doth y *Eraſmus* thinke that *Origē* meant: cōcluding it farther, as cleare, by ſimilitude which z he had vſed before of *Chriſt* who *put away the Synagoge* (his former wife as it were, *becauſe of her adulterie & married the church*. Yea A *Tapper* likewiſe a great divine of *Lovā*, & of better credit with Papiſts thē *Eraſmus* ſaith that the divorcemēt permitted by thoſe *Byſhops, whō Origē controuleth was a Jewiſh divorcement*. Wherein though he aymed at another marke, to prove an vntruth: yet vnwares he hit a truth more thē he thought of, & ſtrengthened that by *Origē* which he thought to overthrowe. Howbeit if *Bell*, or *Bell* Inther preter can perſuade by other likelyhoods out of *Origē* (as he is ſomewhat darke, and I know not whether irreſolute in the point) that the thing reproved by him in thoſe Byſhops was the *permitting of one to marrie againe after divorcemēt for adulterie*: our cauſe ſhalbe more advantaged by thoſe ſundrie Biſhops who approved it, thē diſadvātaged by *Origē*, who reproved for it. Chiefly ſeing *Origē* impaired much his credit both by other hereſies in diverſe points of faith, for which a b general Councel with c *Bell.* allowāce coūt him damned heretique a & in this matter by d excluding al ſuch as are twiſe married out of the Kingdō of heavē, which e divines of *Paris* obſerve & check him for. Wheras thoſe Byſhops of whō he maketh mētiō, were neither ſtayned otherwiſe for ought that may be gathred, nor herein did they more thē the right believing & Catholique church all that time thought lawfull to be don, as appeareth by *Tertullia* & *Juſtine* the Martyr. In the which reſpect f *Peter Soto* (a freir of great accout in the *Trent* Councell) having ſaid that it is playne by many arguments that the caſe which we treat of was doubtfull in the auncient church alleageth this for proofe thereof out of *Origen, that many Biſhops permitteth married men to marri againe after divorcement*. Thus if the two fathers whom *Bellar.* out of the third hundred yeares as making for him doe not make againſt him, which perhaps they doe both: yet one of thē doth not out of all controverſie, & byſhops, more in number, in credit greater then the other agree with him therein. Out of the fowrth hūdred, the ſhewe which *Bell.* maketh, is a great deal fayrer thē out of the third: & a nūber of *Fathers*, the coūcel of *Eliberis*, * Am*, *S. Ierō*, a Romā Byſhop, & *S. Chriſo* are affirmed thēce to ioyne thēſelves with him. But they are affirmed in the like manner as the former were: ſkarſe one of them avouching the ſame that hee doth, the reſt in part ſeeming to bee of other opinion, in part moſt clearely ſhewing it, and ſuch as ſhewe not ſo much, yet ſhowing their owne weakenes, & that in this matter their opinion & iudgement is of ſmall value.

a Expiscat articul. 30 Lovan art. 1.

b Synod 5 cō Cantinob. collat. 8. cap 11. Nicephor. lib. 17 cap. 38.
c Tim 1 cōt 6 lib. 2 cad 8.
d Hom. 17 in Lucam.
e Genebrad. annot marg. in cum locā. Espenceus de continent lib 3 cad. 9.

f Tract. de inſtitus Sacerdc. de matrimon. lect 13

For the formoſt of them g the Councell of *Eliberis*, ordained that *a woman which for ſooke her husband becauſe of his adulterie and would*

g canon. 9.

marrie

marrie another, should beforbidden to marrie, & if shee married, shee should not receave the communion til he were dead whō shee forsooke, vnlesse necessitie of sicknes cōstryned to geve it her. Wherein it is to be noted, first that the coūcell saith not. 8 *If anie man*, so to comprehend & touche generallie all both men & womē: but they speake peculiarlie of the womā alone, & so doe not forbid the man te leave his adulterous wife & marrie another. Secondly, that the womā is excommunicated, if whē shee is forbiddē by the church to marrie, shee marrie neuertheleſſe, not if before she be forbiddē: As it were to puniſh her diſobedience rather then the fact it ſelf. Thirdlie, that shee is not debarred all her life time from the communion, but for a ſeaſon onely, & in time of neede, in daungerous ſickness doth receive it: yea, even while the partie, whō shee forsooke liveth. Of the which circumſtances the firſt though it might argue the Councels overſight who made the womās caſe herein worſe then the mans, both being free alike by Gods lawe: yet for the man it sheweth that they allowed him to marrie againe after divorcement according to the doctrine of *Chriſt* which wee maintaine. The next yeildeth likeliehood that the Councell did forbid the womā this not for that they thought it vnlawfull, but vnſeemelie perhaps or vnexpedient, as h another Councell is read to have forbiddē the celebrating & ſolemnizing of marriages at certaine times. But the laſt putteth the matter out of doubt, that they were perſuaded of the womā alſo marryīg in ſuch ſort that her fact was warrātable by the word of God. For els had they, not iudged her marriage with this latter mā to be lawfull, they muſt needs have iudged her to live with him in perpetuall adulterie. Which if they had thought, it is moſt improbable they would have admitted her to the communion in caſe of daungerous ſickness: ſeeing at the point of death i they denie it to womē ſo continuing, yea k to mē offending leſſe heynouſly then ſo. With ſuch extremitie of rigour therein that l *Baronius* noteth their decrees as ſavouring of the *Novatian* hereſie; & m *Bell.* layeth it almoſt as deeply to their charge. So farre from all likeliehood is it that they would admitt her in neceſſitie of ſickness to the communion had they bene perſuaded shee lived in adulterie ſtill. Therefore it was not without cauſe that *Bell.* did ſuppreſſe this circumſtance together with the former, in citing the decre of the *Elibernie* Councell: leaſt his falſe illation, to weete *that they accounted ſuch marriage vnlawfull even for the innocent partie, & in the cauſe of adulterie*, ſhould be deſcovered and controlled thereby. Next is *Ambroſe* brought in, whom vpon the 16 chap. of Luke, writeth much againſt them that putting away their wife doe marrie another, and he calleth that marriage adulterie in ſundrie places: neither doth he ever except the cauſe of whordō in that whole

8 Si quis L. verbum hoc ſi quis D. de verbor ſignific.

h Concil Ilerd. c. Non oportet a ſeptuagelima 33 q. 4.

i Can. 64. Can. 2. 7 17 18 47. 65. 70 72. & 75.

k Annal Eccleſ tom. 1. ad annū chriſt 57.

m Tim. 1. contr. 7 lib 1 cad 6.

discourse as *Bellarmin* saith. But what if *Bellarmin* here, be like himselfe too? Certainely S. *Ambrose* speaketh 9 of such wives as lived without crime, & 1 whom their husbands were (as hee addeth) forbiddē by the lawe of God to put away. So that hee reproving men for marrying others after they had put away their chaste wives, doth evidently shewe he meant not of marriage after divorcement for whoerdom. And if it be sufficiēt proofe that he supposed they, might not marrie againe after they had put away a whorish wife because he never excepteth whor dō in that wholediscourse of marrying againe, thē by as sufficiēt a reason hee supposed that 2 they, might not put awaye their wives at all, no nor for whordom, because he never excepteth it in that whole discourse of putting away the wife. But that Papists will graunt that a mā may lawfully put away his wife, if shee committ whordom. As *Bellar.* then will construe S. *Ambrose* in this braunch, so let him in the former. And if he say, that S. *Ambrose* thinking vpon Luke alone whom he expounded, or trusting his memorie forgot the exceptiō added by *Christ* in Mathew, for n putting away the wife: the same slipp of memorie might loose the same exception for o marrying another. If he thinke that *Ambrose* did not forget himself, but vnderstoode the exceptiō in the former point, as the p Apostle did, though neither mention it expressely: what reason why, it might not as well be vnderstood in the later also? As for *S. Jerom* no marveil if he wrote against secōd marriage after divorcement for whordō q who wrote against all second marriages in such sort, that r *Espencæus* asketh what could have ben said more grievously against them by the impure 3 *Catharists*, then is said by him? And s *Vives* pronounceth, that he did not only detest second marriages, but also had small liking of the first, nor did much favor matrimonie; Beside that himself to, as farre as he exceded the boundes of Godly modestie & truth herin, even by thes mens iudgments whom Papists doe repute learned & Catholique allayeth & correcteth in one of the places, which *Bell.* alleageth, his peremptorie censure geven in the other. For whereas hee saith in his Epistle to *Amandus*, that the wife who divorced herself from her husband because of his adulterie & married another 4 *was an adulteresse* for so marrying, & shee newe husband *an adulterer*: In his epitaph of *Fabiola* (a noble godly gentlewoman of Rome, who did the like & was pœnitēt for it after her second husbāds death) he saith, that shee *lamented & bewayled it soe, as if shee had committed adulterie.* By which kinde of speech & others sutable to it, as that hee tearmeth her state after divorcement from her first husband *Widdowhood*; & addeth, that shee lost 8 *the honor of having had but on husband* 9 *by marrying the secōd*; & saith, shee thought it better to vndergoe a certain,

shadow

9 Dimitte le xorem quasi ſuæ ſinè crimine
1. putas id ſibi licere quia lex humana non prohiber ſed diuina prohib. 1. 1.
2 Noli ergo vxorem dimittere. Quid i mittit vxorē facit eam mœcham.
n. Math c. 32. o math. 19. 9. p. 1 cor. 7. 11
q Epiſt ad Salvinam et n. ad Agetuchiā et adverſus Iovinian. r. De continē. lib 3. cap. 8 & 9. 3. Who condemne ſecond marriges Epiphan. hæreſ 59 Auguſt de hæreſib cap. 58 ſ. In Auguſt de civit. dei lib 16 cap. 4 t.
The diuines of Louan in thier edition of Auſten printed at Antwerp and Paris have left this ſentence out beyond the preſcript of ind ex ex purgatorius
4 ſi non vult adulterS reduci
5 Non A Pella nuvit ſed adulter
8 Viduitatem ſuam ſervare non poterat.
8 Sub, gloſia vni ver
9 poſt mortē ſecundi viri
1 Opera exercere mortui ſuum.

shadow of pitifull wedlocke, then to plaie the whore, because it is better (saith *Paul*) to marrie thē to burne: *S. Jeron* de clareth that although it were a fault in his opinion to doe as shee did: yet not such a fault, a crime, a publique crime, as *Bell.* doctrine maketh it. No more may it be iustly thought in the opinion of that Roman Bysshop, of whom, because he put *Fabiola* to publique penance after her second husbands death, *Bell.* concludeth that it was accounted a publique crime in the Catholique Church at that time, if any man whilst his wife yet lived, married another yea, albeit for whordō. For mē at that time were put to some penance in the Catholique Church, for marrying againe after their first wives death, as *Bell.* obserueth out of the Catholique t Councels: adding therewith al, that al though they knewe second marriage to be lawfull, yet because it is a token of incontinēcie they chastised it with some penāce. Wherefor sith it might easilie be that they who laid some penance vpon no fault, would lay publique penance vpon a smal fault, spetially in women, to whō in such cases they were more severe & rigorous them to mē: the penance which the Bishop did put *Fabiola* to for her secōd marriage doth not prove sufficiently that it was accounted then a publique crime in the Catholique church. Howbeit if the tearm of publique crime be vsed in a gētler sēse thē cōmonly it is, or the Bishop of Rome did never put aney but grivous offēders & sinners to publique penance: yet perhaps even so to will *Bellarmin.* come short of this conclusion still. For thereby (saith he) we doe not vnderstand that u *if any man while his wife yet lived*, marrie another, yea albeit for whoredō, it was accounted a publique crime in the Catholique church at that time, if any mā did it. As who say the Bysshop of Rome must needs hould that, if womē were not lisenced to marrie after divorcement for whordom, men could not be neither, Whereas he might be of the same opiniō, that an auncien x Councell seemeth (as I shewed) to have bene before him; & an auncient y *Father* (living & writing as z some thinke, in Rome about the same time) was: I meane, that this libertie & freedō should be graunted to men but not to womē. Moreover the delay of *Fabiolas* penance, in that she was not put thereto vntill a *after her second husvands death*, yeldeth very strong & porabable cōiecture, that it had not bene before thē accoūted any crime at all in the Catholique church, not for a womā neithe to put away her husbād because of his adulterie, & to marrie another. For that which *Fabiola* did, she did openly. Her self was religious, godly, wel instructed; & thought it to be lawfull. Her husbād by all lykelyhood of like minde & iudgement: the church of Rome called not their marriage in to question. The Bysshop did not execute any Church cēsure on thē. Nay, sith she was b yeat yong,

t Neocæsarean 7 etiam dicen cap. I proved to have tha. meaning by Espenceus lib. 2. de continent cap I a Zonaras too and Balsamō interpret them both, hongh the glosseon Gratian exp inndone of them otherwise cap de his. 31. q. 1. vl qnis sit D Quod aiunt. D de xdilic. edict l non omnia D. de publici iudic. 2. Si qnis vivē te conjuge

x conc l. Ellbern can. 7 y. Ambros. in. 1. ad c. r cap. 7 z censura theologorum lovan in August lib quæst veret nov testam. Tom. 4. a. Hieron epist. 0 ad Oceā.

3 Melius arbitrata est aperte q.

4 Adolescentulam,

yong, when they married, and never harde of any fault therin cõmitted as long as her huſband lived: it may be Rome had many biſhops in that time, none of whom ſaw cauſe why they ſhould blãe her forit. The exãple of *Fabiola* therfor, & the Romã bs. deling in it, maketh more a great deale with us then againſt us, if it be throughly waighed. Now S. *Chriſoſtom* maketh abſolutly with us: howſoeoer *Bell.* affirmeth that he teacheth the ſame with S. *Ierom.* yea with [b] S. *Ierom.* ſimply comending all ſuch marriage. For what doth S. *Chriſoſtom* teach in the ſermõ that *Bell.* quoteth upon *Math.*? Forſooth; *that by Moſes law it was permitted, that whoſoever hated his wife for any cauſe might put her away & marry another in her Roome: But Chriſt left the huſbãd one cauſe alone to put away his wife for namely whoredom.* What? & doth it folow hereof that *Chriſoſt.* meant that the huſbãd putting her away for whoredõ, might not marry another? Rather the clean contrary. Seing he ſpeaketh of ſuch a puting away, as *Moſes* did permit & maketh this the differẽce betweene Chriſts ordinance, and the lawe of *Moſes*, that *Moſes* did permit it for any cauſe, Chriſt but for one, Which to be his meaning he ſheweth more plainely upon the firſt to the Corinthiãs, ſaying that the marriage is diſſolved *by whordom, neither is the huſband, a huſband any longer.* For hence it appeareth that he thought the band of marriage to be looſed when they are ſevered for woredõ: and therefore cõ ſequently the parties are free to marry according to the Apoſtles rule.

And other where alſo, though ſomewhat more obſcurely, yet cõference with this place will ſhew him to have taught. But what ſhould I ſtande on farther proofe therof, it being ſo undoubted, [g] that biſhope *Covarruvias* an erneſt adverſary of marriag after divorcement, & bringing al the Fathers that he can againſt it, confeſſeth S. *Chriſoſt.* to ſtand on the other ſide againſt him for it. And this in four hundred years after Chriſt, *Bell.* cãot finde on of the Fathers, that he may iuſtly ſay is his excepting them which make as much for the Encratites, Montaniſtes, and Catharists, as they doe for Papiſts. In the ages followiug he finderh better ſtore: now one now moe in the hundred. Yet among thẽ alſo, looke how many he nameth of the Eaſtern biſhops, whether expreſſedly, or implyedly: he playeth the Ieſnit with him. For the firſte of them *Theophylact* he alleageth with the ſame faith & truth, that he did *Chriſoſt*, whoſe ſchollar *Theophylact* being (after *Bellarmins* owne note) did follow his maiſter.

And this the two places themſelves that *Bellarmin* quoteth, doe inſinuate clearelye: The former by oppening how Chriſt *permitteth not the putting awaye which Moſes did, without iuſte cauſe, nor*

[b] Epiſt. 145 d Amanquma cHom. 17. in Math. cadt.

d Hom. 19 int 2. cor. 7.

e 1. cor 7. 28

f Homil de 1. bell requdii

g Epitom in 4. lib decretal part. 2. cap. 7 D. 6.

h. Tom. 7. contr. 7. lib. 1. cap. 4.

i Theophylact in Math. cap. 19.

alloweth any cause as iust but whordom [k] the later by omitting mention of whordom, in ſpeſifying the cauſes, *for which if a Woman depart frō her huſband ſhee muſt remaine vnmarried.* Whereto (if *Bell.* neede more light to ſee it by) we may adde a third place: in which [l] *Theophylact* ſaying that *Luke* reherſing *Chriſtes words againſt men putting away their wives & marrying other muſt be vnderſtood with the exception out of Mathew, 3 Vnleſſ it be for whordom,* doth ſhew howfarre he differeth herein from *Bell.* who denyeth flatly that *Chriſtes* wordes in *Luke* muſt be ſupplyed with that exception. The reſt of the Eaſterne Fathers whoſe teſtimony is alleaged by *Bellarmin* though their names not mentioned: are ſuch as were aſſembled in the Councell of *Florence.* For there came thither to conferre with the Pope and the weſterne byſhops, albeit many of theſe houlding a generall Councell at Baſil the ſame time, refuſed to chaunge the place for the Popes pleaſure, who ſought his owne advantage therein, not the Churches, and vndermined the actions of the Councell of *Baſil* [m] *which condemned him of hereſie, and depoſed him*; but there came thither of the Patriarches of *Conſtantinople, Alexandria, Antioche*, and *Ieruſalem*, either themſelves in perſon, or by their deputies, with many Mettropolitanes and Biſhops of *Greece* of *Aſia*, of *Iberia*, and other countries of the Eaſt. Whoſe creditt and conſent how vtruely *Bellar.* pretendeth, for the proofe of his falſe aſſertion, it is plaine by that hee ſaith the Councal of Florens did decree the ſame in the inſtruction of the Armenians. A chapter which is fathered indeed vpon the Coūcel by the ſchiſmatical pope *Eugenius* the fourth, the deviſer of it: but fathered vniuſtly and calumniouſly as the time agreeth, wherin it was begotten. For it is accorded in the ſame decree, that it was made the [6] two and twentith of November in the yeare of Chriſt a thouſond four hundred, thirty & nine. Now the Councel ended in Iuly the ſame year four moneths before: As both [o] it ſelf witneſſeth, & [p] Popiſh ſtories note. Wherefore the Councell could not be the farther of that decree and chapter: noe more then a man can bee of that childe which is borne fouretē moneths after his death. And the pope whoſe baſtard in truth the brat is, by the acknowlegment and record of *Papiſts* them ſelves in the [q] *Tomes* of Concells, was ſo much the more to blame to father it vpon the Counſel of *Florence* [9] the great & generall councell, and [8] date it in a publique ſolemne ſeſſion therof; becauſe neither was it debated in the Councel whether marriage after divorcement for adulterie were lawfull or no; & the [s] Eaſterne byſhops mainteyned it to be lawfull, whē the pope after the end of the councel did reprove thē fore it neither is it likely the contrarie was decreed by al there preſent of the weſt, chiefly ſeing that more thēhalf of thē were gone whē both

k. In 1. Cor. 7

l. In Luc. cap. 16.

3. Parectos longou porneias delade, obſcured by the Latin tranſlator omitting delade.

m Concil. Baſiliense ſeſſ. 33. et 34. Enias Sylvius de geſt. concil.

n Synodus Florentine procès et ſubſcripti in illeſlavuioniu

6 Decimo calendas Decembris

o Synod. Florent. ſeſſ. ult.

p Ounphr. in Pontif. max. et card. Cene card. Chronograph. lib. 4.

q Decretum Eugenij papæ quarti

7 Piaſens ſane at atque magna et Vniverſa lis Synodus

8. Florentiæ in Publica ſeſſione Synodali ſolennitate celebrata.

r Synod. Florentina ſeſſ. ult.

ſſa proamio t Seſs. ult.

partes the East & West, ſubſcribed to the decrees of the Councell in the leters of agreement: as appeareth by conferring their number with t their names, & the note there of. Yea the Councell being ended the ſixth of Iuly, had their ſupeſcriptions added unto it the one & twentith. Then if of 7. ſcore & perhaps upward, ſcarſe 3. ſcore were remaining at Florence. 14. daies after the Coūcel ended: What may we thinke there were above 4. moniths after? But how many ſoever were preſent of the West, as the Pope can quickely muſter up an 100. biſhops or more, if need be out of Italie alone, to carry awy things in Co. by multitud of voyces, ſuch policie hath he uſed for that; but how many ſoever Italiās he bāded to coūtenance his decree, the biſhops of the East agreed not therto, neither was it the councels act. Thus all the Fathers of the Eaſtern churches, whom *Bell* alleageth, & may urge with credit their doctrine towards marriage, doe not onely not ſay with him, but gainſay him. Wherin there have ſoe many others followede them from age to age till our tyme, that it is apparant they allow with greater conſent a mans marriage after divorcement for adulterie then Fathers of the Weſtern churches diſſalow it, For *Euſebius* treatinge of *Iuſtin.* the Martyr ſetteth forth with the ſame praiſe that he had done the ſtory of the *Chriſtian woman*, who divorced her ſelf from her adulterous huſband. And S. *Baſils* cannons approved by y general coūcells, doe not onely authorieze the man to marrie another, whoſe wif is an adultereſſe, but alſo check the cuſtom which yeelded not like favour in like caſe to the woman. And *Epiphanius* z ſaith (his wordes are read corruptly, but the ſence thereof is plaine of our ſide, as *Couarruvias* graūteth, *Epiphanius* ſaith therfore that *Sepration being made for whordom. a man may take a ſecond wife, or a woman a ſecond huſband* and the ſame in effect avoucheth b *Theodoret* affirming that *Chriſt hath ſet downe one cauſe: wherby the band of Marriage ſhould be diſſolved, & onely rent aſunder, in that he did except whoredom.* And a generall Coūcel, wherin ther were above 220. biſhops of the East gathered together, doth implye as much in ſaying that *He, who his 2 wife having kept the lawe of wedlocke & being faithfull to him, yet forſaketh her and marrieth another is by Chriſts ſentene guilty of adultery.* So doth d *Oecumenius* in applying the precept of abyding unmarried to ſuch as ſhould not have departed, & in abridging *Chriſoſtoms* words after his manner, whoſe ſchollar e *Bell.* therefore tearmeth him. So doth f *Euthymimtus Choyſoſtoms* ſchollar too, in charging the mān with adulterie, who marrieth a woman divorced for any cauſe but whordom frō her huſband. So doth *Nicephoras*, in copyinge & cōmeding that out of *Euſebius*, which he had out of *Iuſtin.* the Martyr. To be ſhort, the Grecians, 3 which name compriſeth many natiōs of

9. There are about 100. by ſhops ſeas in Italie. Leand. Albert in deſcript. talie

1 Eneas Sylvius de geſtis Baſilienſis coneil lib. 1. elā dius Eſpēcenſis in epiſt ad Titum cap 1.

v Hiſt eccl ſib 4 cap 17
y Synod ſext. in Trull can. 2
c Quoniam diſt 6 Synod. ſcpt can. 1.
z Hereſ. 59.
a Epiſtin 4 lib decreta part. 2 cap. 7. 6.
b De cur grec affect lib. 9
c Sext Synod Conſtantinot In Trull cāon Nomon ſynop thiſan tranſlated otherwiſe by ſome but mēt thus by the councell as mentoi with the antithesis going before it ſhaweth. & thit vſe of the word Synap teſtas can 13 d diſt 3 e Quoniam. d (n. prior ad cor cap. 7
e Tom 1 conc 7 cap 1. b
ſſ In math ca 5
g Hiſt eccl lib 3 cap 23
3 Decretum. Eugenii pape

the East all whom the [a] *Florentine* Councell calleth the Eastern Church doe put the same doctrine receyved from their aunstours in practise even at this day, allowing maried folke not onely, to sperate and diuorce themselves in case of adultrie: but also to marrie others, as *Bellarmin* confesseth. Wherefore his opinion hath not the consent of the Eastern bishops: neither hath had it any age since *Christ*, Much lesse can he shewe the consent of the South [b] the *Æthiopians*, an *Abussines*, or of the [c] *Moscovites* & *Russes* in the North: both which as they receyved their faith from the East, so vse they like freedom & liberte for this matter. No, not in the west it self, though he have many thence agreeing with him, yet hath hee the generall consent of all the Fathers perhaps not of half, if an exact count might be taken of them, For besides *Tertullian*, the Councell of *Eliberis* & to let passe *Ambrose* one Byshop of *Rome*, or more alreadie shewed to have thought that *a man leaving diuorced from his wife for her adulterie, is free to marrie againe*: there are of the same minde [d] *Lactantius*, [e] *Chromatius*, [f] *Hilarie*, [g] *Pollétius*, the auther of the *Cómentaries in Ambrose* his name vpon S. *Pauls* epistles, the first Councell of *Arles*, the coūcel of *Vannes*, they who either were at or agreed to the [h] sixth generall coūcell the secód time assébled, *Pope Gregorie* the third, [i] *Pope Zacharie*, the councell of [k] *Wormes* of [l] *Tribur*, of [m] *Masconia*, a couucel alleaged by [n] *Gratian* without name, and other learned mē alleaged likewise by [o] him [p] Pope *Alexander* the third, [q] *Celestin* the 3, *Zacharie* & [r] *Paul* byshop, the one of *Chrysopolis*, the other of *Burgos*, [s] *Erasmus*, [t] *Cardinal Cajetan*: Archbishop *Catharinus*, [u] *Naclantus* byshop of *Clugia*, finalli the teachers of the reformed churhes in [x] *Eng.*, [y] *Scot.*, [z] *Germ.*, [a] *Fraunce* and [b] other countris, for why should not I name these of our professiō & faith amōg the Fathers as well as *Bell.* nameth the popish councell of *Trent* on the contrarie side? But the Papists (will some mā peradventure say) doe not graunt that all whom you have rehearsed, were of this opiniō. But the Papists (I answer) doe graunt that sundrie of them were? & such as they graunt not, the light of truth & reasō will either make them graunt, or shame them for denying it. As [c] *Sixtus Senensis*, namely doth deny that *Hilarie* and *Chromantius* allowe a man to marrie another wife after divorcement: or teach that hee is loosed from the band of matrimonie, while his former wife though an adultesse liveth. Now weigh their owne wordes, & it wil appeare that *Sixtus*

[a] ipaulus Iouius lib. 19. Francis Alvar descript. Ethiop cap. 34. [b] Alexan. Guagnin in descript. Sarmat. Europ. Asiat. [c] Divin. instit. lib. 5. cap. 23. et Pisced. 4. [d] In matt. 5. n. 6. an 80. 4 in math. [e] Augustin de adulter. cōiug. adpollent lib. 2. cap. 1. et lib. 1. cap. 8. [f] in Epist. ad cor. cap. 7. quæst. 10. rem. 2. [g] Cōstantinop. in Trullo cap. 88. gr. 87. [h] Epist. 4. ad Bonifacium [i] [k] cap. 3. et 10. Burchard de cretor. l. c. 4. et 17. cap. 17. et c. [l] [m] c. si quis cum novarca Burchar. lib. 17. c. 17. et 18. [n] Gratian. [o] Burchar. lib. 17. c. 5. a. 32. q. [p] quæ dam. [q] Sed illud. [r] Paul. [s] Erasmus [t] Cardinal Cajetan [u] Naclantus [x] Eng. [y] Scot. [z] Germ. [a] Fraunce [b] other countris [c] Sixtus Senensis

de Quarto extra. de divorsys e de conscrid Euang cap 100 [Addit. 2 ad Lyran in mat. 19 g Christ marriage instituted aunor. in 1 cor. cap 7. i Tract. de matri. quæst an propter eam reduc. cæuj. l. b. 2 vinculo k Hunc ratiam epist ad R. [l] Tindal ou mat. [m] Bucer. de regno chuist lib. 2 ca. 43 [n] marryage in 1 cor. [o] Beaon et [p] in the confession of their faith pres. in Luther in narrat in mat. 5. et. cor. 7 conf. Saxon in Harmon conf. sect. 18. art de conf. conf. w. ittē b. ibid. inst. magdeburch, cent. 1 li. 1. ca. [q] Menlc. exam. conc. Trident part. 2 [r] calum. lust. r christian lib. 4. [s] ult. gal. in Harmon conf. Belg. in Harm. con. musc. in mat. 5. [t] bul. decad. 2. serm. 10. [u] Zegedin Iacobum, de divor. tub. 1. q. [x] Biblioth. Sanct.

iniurieth

iniurieth them therein. For [r] *Chromatius* ſaith that they who having put away their wives for any cauſe ſave for whoredom, preſume to marrie others, doe againſt the will of God, and are condemned, Wherein, with what ſence could hee except whoredom, vnleſſe hee thought them guiltleſſe, who having put away their wives for it doe marrie others? And [s] *Hilarie* affirming *Chriſt* to have preſcribed no other cauſes of ceaſing from matrimony, but that; ſheweth that the baud of matrimony is looſed thereby in his iudgmēt. Chiefly ſith he knew that they might ceaſe from the vſe therof, for other cauſes: & the occaſiō & tenour of the ſpeech doe argue that he meāt ſuch a ſeperatiō as yeeldeth liberty of new marriag. In like ſorte, or rather more plainly & expreſſely did *Pollentius* holde & maintaine the ſame: As *Auſtin* (whō in this point hee diſſented from) doth repote and teſtifie. Yet *Bellarmin* (a ſtrange thing in a caſe ſo cleare, but nothing ſtrange to Ieſuits) ſaith that *Pollentius* [o] did not gainſaie *Auſtin*, but aſked his iudgment of the matter: and for proofe hereof referreth vs to the beginnings of both the bookes of *Auſtin*. Even to thoſe beginnings in which it is declared how *Auſtin* having laboured too prove that a woman parted from her huſband for his fornication might not marry another, *Pollentius* wrot vnto him as it were by way of aſking his iudgmēt and ſhewed hee thought the contrarie: yet ſhewed it in ſuch ſorte, that *Auſtin* ſetting downe both their opinions, doth ſpecifie then as flatly croſſing one the other: *You are of this minde, I of that*: and ſaith of *Pollentius* againe and againe that [8] *hee was of this mynde*, which *Bellarmin* denieth hee was of. wherein the Ieſuits dealing is more ſhamefull, for that beſide the evidence of the thing it ſelf ſo often repeated in the verie ſame places that hee citeth [u] *Sixtus Senenſes* a man as vnwilling as *Bellarmin* to weaken anie of their *Trent* points with graunting more then hee muſt needes confeſſeth that *Pollentius* thought hereof as we doe. Belike becauſe *Sixtus Seuenſis* honoreth him with the praiſe & title of a [9] moſt godlie man, *Bell.* thought it better to lie, then to graunt that they have ſuch an adverſarie. Hee would faine avoid too another auncient father bearing the name of *Ambroſe*, & [x] *Ambroſe* might his name be, though he were not famous *Ambroſe* Byſhop of *Milan*. But whether hee were named ſo, or otherwiſe (which perhaps is truer vnto his teſtimonie pronouncing it lawfull by S. *Paules* doctrine for a man iuſtly divorced to marrie (againe though not for a woman as hee by miſtaking S. *Paul* throngh errour [y] though *Bellarmin* replieth with a threefold anſwere. Firſt *Gratian* (ſaith hee) aud *Peeter Lombard* doe affirme that thoſe words were thruſt into this authors (*Commentarie* by ſome corrupters of writtings. In deede the one of them affir-

r In matth. cap 5.
4. Alſo fornicationis cauſe

ſtan 4. in Math
s De ſtuend la coniugio.

6 Non contradixit Angustino ſed eum conſuluit.
t Dead ſe cōiug ad pollēt. lib 1 cap 1.
7. Tanquam conſulende ſit th Auſtin In ſteedewherof, Bellarmin ſa h cōſulēdo & drowneth.
8 Id enim ſentijs & vidētur ibi et exiſtimas, & putas, et eſtibones tibi vibetur et exiſtimas.
u Bibliorh ſa: tt lib. 2. verb Repudij humanilibellus
9 poliantum religioſiſſimum virum.
x In epiſt. 1 ad cor 7
1. As it is probably gathered out of Auſtin cont. duas epiſtolas pelagian lib 4, cap 2, 7, 29. 7 d ſeb illind.
z lib 4, ſent. diſt 35.

affirmeth: 2 it is ſaid ſo the other, 3 it is thought ſo. But if it be ſufficient to affirme barely without anie ground of proofe or probabilitie, that it is ſaid or thought ſo. what errour ſoe abſurd that may not be defended by perverſe wranglers? what cauſe ſoe oniuſt, that vnrighte ous iudges may not geve ſentēce with? For whatſoever words be enforced againſt them out of the law of God or man, our of anie evidence or record of writers & witneſſes worthie credit: they may with *Peter Lōbard & Gratian* replie that the place alleag. d is ſaid or thought to have bene thruſt into thoſe monuments by ſome corrupters of writings. Aud in replying thus they ſhould ſpeake trueli, though it were ſaid or thought by nome beſide themſelves: but how reaſonably they ſhould ſpeake therein, let men of ſenſe & reaſon iudge. Surelie though *Peter Lōbard* reſt vpō that aunſwer, for wāt of a better, yet *Gratian* (whether fearing the ſicklie ſtate there of, doth leave it, and ſeeketh himſelf a new patron ſaying that *Ambroſes* words are thus meant, that a man may lawfullie marrie another wife after the death of the adultereſſe, but not whi le ſhe liveth, which aunſwer is mote abſurd thē the former. In ſo much that a *Covarruvias* ſpeaking of the former onely as vncertaine, ſaid that this repugneth manifeſtlie to *Ambroſe*. A verie true verdict, as anie mā not blind may ſee by *Ambroſe* wordes: And *Bellarmin* confeſſeth the ſame in effect, by paſſing it over in ſilence as aſhamed of it, But others (ſayth hee ſecondlie) doe aunſwer that this author ſpeaketh of the Civil law, thē law of Emperours: Tō weet, that by the Emperours Lawes it is lawfull for men, but not for women, having put away their mate, to marrie another: and that *Paul* therefore leaſt he ſhould offend the *Emperour* b would not ſay expreſſely. *If a man put away his wife, let him abide ſo or be reconciled to his wife.* Now *Gratians* ſecond anſwer was no leſſe worthy to have bene mentioned, then this of c *William Lindan*, patched vp by *Bell*, For the d civill law prononceth the band of marriage to be looſed as wel by divorcement as death: and alloweth women to take other huſbands, their former being put awaie, as it alloweth men to take others wives, So that is a fond and vnlearned conceit to imagin that *Paul* would not ſay of huſbands as hee did of wives, leaſt hee ſhould offend the Emperour by ſpeaking expreſſelie againſt that which his law al lowed, For e hee did expreſſely controll the Emperours law in ſaying of the wife. *If ſhee depart from her huſband, let her remaine vnmarried, or bee reconciled to her huſband.* And the authours wordes doe ſhewe that hee meant to ſpeake, not of humaine lawes, but of divine: of the ſacred ſcripture where vpon he wrote, aud what was thereby lawfull. Which ſeemed ſoe evident vnto, f *Peter Soto*, g & *Sixtus Seneſis*, and h the *Roman Cenſors*, who overſaw Pope *Gregorie* the thir-

2 dicitur.
3 creditur.

a Epiſt in 4. lib decretal pars 2 caſ. 7. 5. 6

b 1. cor. 7. 11

c panop. Evang lib. 3. cad. 9. 5.

d 1. t. D de divo ſuet repud. 1 ſi ex lege adle, ē lubdee adu t t cōſenſu liſt conſtan te c. de repudiis.

e 1. cor. 7. 11.

f In ſit ſacerdca de Matr. m Lect 13.

g ſit lioth ſanc lib 9. annot. 8

h Annot in cap vnor 27. 10 32. 97.

tenths new edition of the Cannon law, that they confesse that *Ambrose* (meaning this authour) doth a prove plainly, certainly, vndoubtely, mens libertye of marrying againe after divorcement. *Bellarmin* therfore comyng in with his third aunswer. Yet saith hee if these bee not so well liked, it may be aunswered easilie: that the authour of those Commentaries is not *Ambrose*, nor any of the renowned *Fathers*, + *as learned men know*. Thus at length this authour, if men will not beleeve that his wordes are corrupted, or that hee spake of the Civill law, shall bee graunted vs with *Bellarmins* good leave: But then wee shall bee tolde that hee is not *Ambrose*, nor anie of the renowned Fathers as learned men know. And why could not *Bellarmin* aunswere this at first? Why was hee soe loath to graunt that such an authour, base, obscure of slender creditt, maketh with vs? Herein there lieth a mysterie. There is [l] in this authours Commentaries a place, a speece of a sentence, which seemeth to speake for he Popes *Supremacie*: Though perhaps never written by this authour, or not with that meaning, as I have shewed elswhere. [1] *Bellarmin* had cited that place for that in [6] *S. Ambrose* his name: and [m] manie make a feast thereof, as being sure S. *Ambroses*. Now if he should saie, that the author of those Commentaries was neither *Ambrose* nor Saint: hee should gainsaie himself. And sith hee was learned, when he did cite it soe, and therefore knewe (by his owne words) that it was not *Ambrose* nor anie of the renowned fathers who writt it: men would see thereby, that he had for the Popes sake against his owne knowledg, fathered on *S. Ambrose* that which is not his. No marveil then if *Bellarmin* came to his aunswere as a beare to the stake. At the which though hee seeme to cast vs of, by saying that the authour was no renowed Father, and erred in mistaking S. *Paul*, as having geven more libertie to men then women, whereof in due place afterward: yet in the meane season hee is forced to graunt that this auncient Father tooke it to bee lawfull for men to marrie againe after divorcement for adulterie. The sundrie evasions & shifts whereby the Papists have laboured to wrest the credit of this one Father out of our handes, doe geve mee occasion to suspect that they will wrangle much more to withdraw from vs the first Councell of *Arles*, being more auncient in time, in credit greater, and (as [n] one of themselves doth probably conjecture) confirmed by the Pope also. Herevnte the Councele wishing of certaine persons not to marrie in the case wee treat of might serve them for a colour in as much as [o] it saith concerning them whose wives are taken in adulterie, that if they bee yong men and forbidden to marrie, [8] advise should bee given the, as much as may bee not to take other wives while the former live, though

4 Quod erudi ti non ignorant.

l in 1 Pist. 1. ad Tim cap. 5. 5. cuius hodie radices est Damaus.

l. To. 2. e mtt 3 lib cap. 16

6 Beatus Ambrosius where by he meneth famous Ambrose. by shop of Mila as the quotatiõs following shewm The English ecllege of Rhemes. Annot. On 1. tim 3.15

7 Heldincon stantins time about they cal of christ. To nBart caranza in somma cõciliorum.

o can. 10

8 consilium: eis detur.

though adultereſſes. But this giving of adviſe is in truth an argument that the councell iudged a man no adulterer, if hee tooke another wife. Els would they have given not adviſe and counſail, but charge and commandement to refraine from it; and (as it is likely) reſtrained mens tranſgreſſion therein with ſharpe diſcipline, ſpetially cõſidering [p] they punish leſſer faults with excommunication. Neither is it nothing that they temper alſo this counſail and adviſe to be geven ſuch, with [q] *as much as may bee.* And a farder circumſtance yet of more importance, they make not this reſtraint for all men, but for [r] *yong men*, nor for all yong men, but ſuch as are forbidden to marrie: meaning (as it ſeemeth) thooſe who being vnder the care of their parents were by them forbidden, and could not honeſtlie diſobey. For had not this reſpect or the like moved the *Fathers* of the Councel, why ſhould they have reſtrained ſuch yong men and not other? Nay, why onelie yong men, not rather men, not aged men, or thẽ alſo? Sith in [s] Schripture elder women are choſen to be widowes, and yonger willed to marrie. Our adverſaries therefore muſt yeeld that the cõncell of *Arles* is of our ſide for the point in queſtion. Whereto they ſhall have greater reaſon to induce them, if they note with al that the [t] Councell of *Vannes* in the ſame contrie, the age following made this canon. *Wee appoint and ordeine, that they who having left their wives, except for whoredom (as it is ſaid in the Goſpel) or vpon proofe mad of adulterie, marrie others, ſhalbe excommunicated. Leaſt ſinnes being ſuffered by our too much gentlenes doe prouoke other men to looſenes of tranſgreſſing.* And this decree I finde not anie of the Papiſts that goeth about to ſhift of: Neither cã I ſee how they may poſſiblie: The Cõcell expõuding ſo playnly *Chriſts* wordes of marriage forbidden after divorcement unleſſe it bee for whoredome, and accompting marriage after ſuch divorcement not a leſſer ſinne, but no ſinne, at all, as the reaſon added for ſtrength of their decree ſheweth, Now for the next the generall Councell aſſembled in the Emperours palace of Conſtantinople which made the like decree and taught the ſame doctrine, as I have declared [u] *Bellarmin* would perſuade vs (vpon other occaſions touching Poperie nearer the quick, thẽ this doth) that the weſtern Byſhops neither gave counteraunce thereto with their preſence, nor approved the Canons there of with their conſent. To this end he denieth that the ſaid Councell was a generall Councell, & ſtriveth in his [x] third controverſie to aunſwer ſome of our reaſons which confirme it. But he eaſeth vs of paines to fiſt his aunſweres by meanes that himſelf in the [y] fourth controverſie, diſcourſing of generall councels purpoſelie, doth reckẽ it amongſt thẽ. For as in [z] mẽs lawes whẽ they are repugnãt on vnto another, the later

[p] can 3. 4. 5. 7 11. 12. & 14
[q] Ie quantum poteſt Adoleſcentes exprohibẽtes aubere.
[r] 1. Tim. 5. 9
[s] Concil Vannarie in Gallia cund 2. 2. About the yeare of chriſt 460.
[t] peccata
[u] De Ro pont lib. 2. cap 27
[x] De eccleſ mil. lib. 1 cap. 7 viſa D. de conſtitut principum.

later derogateth from the former: ſo (I trow) when *Bellarmin* doth contradict himſelf, his laſt word muſt hould. And the more reaſon it ſhould ſo in this, becauſe both Pope *Adrian* the firſt of auncient tyme, did cal it the ſixth Councel, declaring therby he tooke it to bee of the Generell Councels whereof he tearmed it the ſixth, and in the ſeaventh General Couucel ſundry Fathers alleadged it by the name of the ſixth Generall, and avouched it to be iuſtely called ſo. Which ſentence of theirs being uncontroled by any of that Councell, and the Couucell it ſelfe afterward approoving the decrees and canons of the ſixe generall Councels, it is verry probable that the Weſtern churches yealding their conſent to the ſeaventh councell, and taking it for ſoūd accounted (as the Eaſtern have done & doe) that which they entiteled the ſixth to be generall, Specially ſeing that in the Weſt, men of great credit *Ivo & Gratian* and Pope *Honoceutius* the third and their diſciples the whol ſchole of cāoniſts have on thoſe autorities of the ſeaveth coūcel made like reckouing of it. And although our yonger Papiſts for the moſt parte aud ſome of the elder, perceiving what advantage may be taken thence againſt many grounds of popery, doe croſſe theer predeceſſors herein with ſeely reaſons, ſuch as whereof the beſt would inferre more forcibly that their councell of Trent was noe Generall cō cell: yet among thē alſo ther are who allow the auncient opinion as *Cavanza* namely, and *Genebrard* and *Surrius*, with whoſe preface tending to the proofe thereof it is recōmended & publiſhed by papiſts in the two perfect-ſt and laſt editions of the councels. Wherefore whether auy of the Weſt were preſent in perſō, orby deputys, & ſubſcribed to it which *Belſamon* and *Nilus*, learned Greeke Fathers avouch by oulde recordes; or whether it were celebrated by Eſtern biſhops onelye, as the ſecond Generall Councell alſo was in the ſame city of Conſtantiuople the conſent of the Weſt approving it for Geuerall averreth my ſaings by a cloud of witneſſes of the Weſtern Churches. pope *Gregory* the thirde followeth, He graunteth that if a womā by reaſon of ſickneſſe wherewith ſhe were taken could not performe the dutye of a wife to her huſband, her huſband might put her awaye and marry another. More then by the doctrine of Chriſt he had learned to graunt for ſickeneſſe, but ſo much the likelyer that he thought it ſhould be grāted for whoredom expreſſely mentioned by Chriſt. Whereupon *Joverius* a ſorboniſt in a woorke approved by Sorboniſts, matcheth this Cannon with the like of Councels, who gave the innocent party leave to marey againe after divorcement, while the other lived. Neither doth *Bellarmin* deny the illation but the propoſition, which the poynt innferrede is grounded upon- For the Doctores (ſayth hee meaning

Ilb led ꝛxmaginlb ad

eao 35 Poſt Nicæn ſynod 2. t cius ſynodi e & 2.

a Nicæ uſy. .6.

2, Nicæn-ſy

a Zonaras et o orientatis a orientais ecclſc, ult.

b Decreti, e part 4. c. 13. et ſequ nt e. Diſt 16 e. Hobe: Itbeū .c A m uſtis

4 Vrged by of Canus etc. lib. 2. de Rom pont cap. 27.

n ſū ma cōci liotū, chtono gta Ph lib 3. ſtkino lollta num ſint it ſubt uſtinian Rhim otmet o oleclis. 227

g Preſat ſyn 6

anſt eccleſ elſi. 2, ſect. 2,

meaning the Canonists) *expound the Canon of such sickneſſe as maketh a woman vnfitt for Marriage: and soe it an impediment dissolving matrymonye contracted, by shewing it was no true matrimonye.* But the Doctor of Doctors [m] *Gratian* himself vnderstood it otherwise; of sickneſſe befalling to her, who was an able wife. And those his glosse writers vse most that exposition which *Bellarmin* would have vs receive for authentick as the fittest salve; yet rest [a] they not vpon it. And [o] *Antonius* a great Canonist: Archbyshop of Florence correcting [p] *Gratians stupp* of memorie for the persons, concludeth with him for the matter. And the flower of Lovan [q] *Tapper*, the Chauncelour of their viniversity, approveth this of *Antonius*. And [r] the learned men who were over-seers of the last edition of the Councels doe witneſſ by controlling it as a thing which now the Church observeth not [s] that *Gregory* meant of sickeneſſe happening vnto lawfull wives in their iudgemēt. And the Pope himselfe (as [t] *Bellarmin* noteth els where) declareth that hee tooke it to be true matrymonie, by saying *that the man ought not to bereave the former wife of ayde, that is, ought to maynteine, & finde her as his wife still.* Wherefore if no Catholique byshop would imagin that a man may lawfully put away his sick wife, and marrie another, vnleſſe hee thought the same much more to be lawfull in an adulterous wife, as wee are to presume: then must the Papists by consequent acknowledg, that the poynt in Queſtion is proved and allowed by *Gregory* the third. A playner and directer allowance thereof, appeareth in a Canon of his succeſſor [u] *Zacharie*, who when a certayne man had defiled himself incestiously with his wives sister, graunted that his wife should bee divorced from him: and vnleſſe shee were privie to that wicked act by counsayling or procuring it, might marry in the Lord if shee could not conteine. This so cleare a testimony of an [7] auncient Pope authorizing the divorced woman to marrie, *Bellarmin* would elude, by saying that hee meant shee might marrie another, after the former husbands death. As who say, the Pope inioyning the [8] man and the whore for a punishment to stay and abyde without hope of marriage, were likelye to meane by liberty of marrying graunted the guyltleſſe for a benefite, that while the guilty lived, who might overlive her, shee should not marrye no more then hee. Or as though there had beene neede for the Pope then to graunt it with exceptiō, [9] *If she will not conteine Let her marrie in the Lord.* Whereby it seemeth that hee rather wished her to refrayne from marriage, if shee might bee induced thereto, which hee had no cause too wish on this occasion after the mans death, she being [y] then simply free, & willed to marrie [x] such might her age be. But what doe I reason out of the circumstances in a thing so certayne and cleare of it self, that although

m. sed I stud. Quanvis 3. p 7

nnbar.

u vel intelligeve dic In c squod Propositi verbo

o Hist part 2. tit. 4 cap 1. quamvis, where he namech En glishmē in sted of Germanes. & Georgye the 1. insteed of Gregorie the 3. or 2. toocke it.

p Explicat arti cul. Iovan. art. 19

r cōciliorTom 3. annotat mar ad hūc locum.

6 Istue hodie eccleſia non servat, ſTom 1 cont 3 lib. 4. cap. 2 22 p 7 c consubuiſti.

7 Abour the yeare of christ 740

8 Sine spe conjugii Permanebit.

9 Si se continere nō vult

u 1 cor. 7. 39

x 1. tim 5. 4

though the great miſters whom *Bell.* alleaged before & followed here, have aſſaied to darken the light thereof by this miſt: yet *Sixtus Senęſis* confeſſeth that Pope *Zachary* decreed that the womā if ſhe would not

y peter Lombard Gratian.

conteine, ſhould marrie another huſband while the former liv d. It is true that *Sixtus* ſeketh to helpe the matter another waye ſomewhat,

z Biblioth ſanct lib. 6 Anno tac. 8.

by yoking the Pope with provinciall Councels: who (ſaith he) alowed and decreed it, not by a general & pereptual ordinance, but for a time and to certain nations, and that in ſuch heynous cryms as inceſt onely. But wil the Papiſts ſtand to this doctrine, that the popes decres binde not al nations generally, nor are perpetual to laſt? Then muſte they acknowledg (which would touch papcie & popery verie nerely) thar the Popes ſupremacie is fauſly pretended, he hath his certaine limites as Metroplitanes have: and ſome wil reaſon alſo that the lawes of Popes were to laſt for a time until *Luther* roſe, but for a time onely, there date is out now. As for the time of inceſt, whereupon the Pope allowed the innocent party to put away her huſband & to marry another, that coafirmeth rather the point in queſtion thē diſproveth it.

For he had noe warrant to allow this by, but our Saviours doctrine

a Matth. 9.

forbidding ſuch divorcemēt, except it were for whoredō: ſo that hee

b Exod. 20. 14 Matth. 5. 28

might not have graūted for inceſt. unleſſe he had thuoght it lawefull

2 adultera.

for adulterie, Neither did he conſider the crime but as cōpriſed under adultery too: Whereof (in a general ſenſe meant by the lawe) inceſt is a kinde. And therefore in ſpeaking of her with whom the deteſtable

c cap. 3. Bnchard decretor. lib. 9. cap. 41.

acte was cōmitted, he tearmed her the *Adultereſſe* nor the inceſtious perſon. Thus it is apparant, that in this manner Pope *Zachary* was noe papiſt, No more was the Councell of Vormes which ſhewed their

2 of livia Druſilla cornelius Tacitus Neres Aidenmres Sanders in our Engliſh chroniclaes d. math. 19. 9 e. Epit in 4. lib. decretal. part 2 cap. 6. D. 6.

iudgment to the like effect to weet, that a man who could proove his wife to have been of counſail with ſuch as ſought his death, might put her away & marry another if he would. Preſūing that belike, which they might iuſtly, as exāples teach us. that ſhe was uought of her body with ſome of the conſpiracie. For els had the Councell expreſſly authorized the ſame which Chriſt cōdemneth, if for any other cauſe thē for adultery they had allowed the man to marrie. Therefore *Covarruvias* reckoneth up this Councell among them who held that a man having lawfully put away his wife for her whoredom might take another while ſhee lived. Yet a certain ſpaniſh Frier named *Raymund*, one of Pope *Gregory* the ninths ſpeciall State-men, the compiller of his *Decretals* would avoyde it alſo after *Gratianus* manner, by falſe expoſition as if the councel had meant, a man might take another wife afte the death of the former. To the more effectuall devſwading whereof, that queſtion

3 Eilbertnuomhee calleth it trough an ertouteot ionie dit tōof Cratian.

f. can ſi qua muliet extra de divortijs.

ouleſſe they meant ſoe: Hee uſeth a ſpeciall trick of Popiſh cunning,

ning. For, making shewe of registering the Councells owne decree, in steed of those wordes 4 *Hee may put away his wife and marry another, if he will*, the Frier setteth downe these: *He may after his wives death marrie another if hee will*. And where as the Coūcel had sayd, *as we thinke*; which wordes had beue absurdely pnt in, if they hadd meant after his wives death hee might marrie another, a thing agreed on and vndoubted: The Frier (as theeves are wont to deface and suppresse the markes of things which they have stolen, least they betaken thereby) leaveth that cleare out. But by the mouth of two witnesses *Burchardus* Bishop of worms, & *Gratian*, or 5 *Palea*, both elder thē the Frier, and from whom of likelyhoode hee receaved this Canon of the Councell of Whormes his false and irreligious dealing is bewrayed. Whereto may the confession of the third bee added, though in years yonger yet greater in credit for things agaynst Papists, himselfe a popish Doctor and burning light of *Paris*, 1 *Ioverius* I meane: who sayth of that Councell, that it allowed the innocent partye to marrie agayn after divorcemēt, the other being yet alive. And the Councel it self maketh farder proofe that they are not on iustely charged by *Ioverius* and *Couarruvias* with this iudgement.

4 potest ipse

5 potest ipse potest ex aliis volumin. a

g. Decretor. lib 6 cap. 41. h liqua mullet 31. d, I of sūdry lawiers that it was præfolium

For if any man had committed wickednesse with his daughter in lawe, the daughter of his wife by her former husbād, they agreed that hee should keepe neither of them: but his wife might marrie another if shee would, if shee coulde not conteyne and if she had not carnall cō pany with him, after that she knew of his adulterie with her daughter. The last clause wherof sheweth that they mēt of liberty graūted her to take another husbād while the former lived: sith it cānot bee thought with reason, but they iudged shee might take another the former being dead: though shee had continued with him as his wife, after shee knew of his adulterie. The 1 Conncell of Tribur did maynteyne the same: ordeyning that if any committed vilany with his mother in law, her husband may take another wife if hee will, if hee cannot conteine and the like order is to bee observed; if with his daughter in law or his wives sister. *Bellarmin* like the m paynter, who being good at purtra- of a Cypresse tree, when one gave him money ro draw and represent a shipwrack in a table asked if he would have a Cypresse in, dispairing to doe ought worth perhaps, vnlesse that helped: saith that all such Canons (all not onely this of the Triburian Councell) are vnderstood of marriage graunted to the innocent party after the death of the former wife or husband. An answer no fitter for this and all such Canōs then a Cypresse tree is for a shipwrack in those of Pope *Zacharie* and the Councell of wormes the former whereof he garnisheth also with

m Horat de arte. Poet.

potest ingium pervenir e

this Cypreſſe tree doe argue. For the ſame reaſons which prooved, *Anacletus* cannon to be meant of the womans marriage while the man liued, proue the Councel of Tribur to be likewiſe meant of the mans in the womans life time. The puniſhment inflicted therin on the offenders doe equallye enlarge the benefit to the innocent. The exception added to the enlargemēt, is ſtronger: implying they would have him ſtay unmarried rather, if he can conteine. The teſtemony of *Sixtus* is all one for both: neither doth the quallity of the cryme of inceſt more inferring the argument here then it did there. And this extenuation that the Councel being a provinciall Councel ordainede it for men of their of their owne province, and for that time onely, encreaſeth the authoretey therof, if the precious be ſevered from the vile, the truth from the fallhood. For why affirmeth hee that they did ordein it for that time only? The forme of their decree touching al generaly that ſhould offend ſo, not ſome particular perſon, who preſētly had; they ſpeaking of the thing as lawful in it ſelfe, & to be obſerved alike in all caſes, thir making of other connons to that effect: yea another Councell alſoo peradventure, and no limitation of time in any of them; doe perſuade the contrary. Now whereas they ordained it for men of their owne province, their modeſty was the greater: who did not take uppon thē as Popes to make lawrs for men of al nations, but looked as biſhops to thir owne Diocæs. And the greater modeſty the liker to Chriſt, and the batter to be lſked of Chriſtiās, the more reverence to be haerd with, and their iudgment to be had in greater eſtimatiō. Beſide that this ſelf-ſame decree of theirs was eſtabliſhede alſo by the Councell of Wormes.

§ Fontreyne non poteſt

Peoncil. Tribur can. 41

And at that time *Pipinus* King of (Fraūce, & of a great parte of Germany) was preſēt. Who as he did keepe a general aſſēbly of his Pœple there: ſo by al likelyhood caled Biſhops thether out of his whol realm to make decrees for the whol. A province of ſuch largnes, that coūcels conſiſtiug of piſhops aſſēbled, out of no greater, have been tearmed generals & worthely as (*Bell.* cōfeſſeth) in cōpatiſō of provincial coūcels cōmonly ſo caled, wherin there were not biſhops of a whole natiō, or Realme. Thus *Sixtus* by ſtriving to leſſē & diminiſh the credit of the cānon of the coūcel of Tribur, hath giv̄e us occaſiō to make the more of it: cōſidering on the on ſide the modeſty of the Bs. who were aſſēbled there, & made decres for their provin e; on the other the province for which that decree was made for, ſo large that al the prov. of Italy cāot matchit, though they were linked in one.

4 In Wormatia civitate Aimein de geſtis Francor. lib. 4 cap. 66.

Had it not ben beter for him, without this retorique to ſay derectly & flatly as *Iover* doth that the Co. of Trib. made the like decre to the C.

Sanction ecle. cinli. 2.

cell

cell of wormes, which now the Church (he meaneth the Popish church receyveth not: wether any papist wil take exceptiõ agaynst the Councel of Mascon, which allowed likewise a certain man, whose wife had bene de floured by his brother beefore hee wedded her to put her away and marry another it may bee wee shall know here after. But vnto a Councell that made another such decree, as *Gratian* sheweth alleaging it without name, *Bellarmin* taketh two exceptions: one, that it is lost: the other of the Cypresse tree. Touchching the former, not as much as the name thereof (sayth he) is extant: therefor it might be easily contemned & sett at nought. Why? Is it therfor worse then al that have names, becaus it is nameless? Then have many Cardinals with other learned reverent men bene much to blame, for writing so of Rome as if it had a nnmber of wicked lewd propane inhabitants. For by there report the Romans having everye one a name or two, should bee worse for the most parte, then were the Atlantes, a people of Africke, whom *Diodorus Seculus* commendeth very heighly for Godlynes and Humauity, yet non of them had any name, *Herodotus* saith. Or if this bee a fable as *Plinie* semeth rather to thinke, & wel it may be; yet is it most certayne that *Plutarch* recordeth as grave & wise sayings of Lacedemonians without names, as of any whoses names are known. And *Bellarmin* (I trust) will graunt that in the scriptures there is no lesse account to bee made of the booke of *Iosua*, thē of *Nehemias*, of *Iob*, then of the *Proverbs*: though their name who wrote the one be not sett downe, as theirs who wrote the other. But hee wil say perhaps that of this councell not onely the name is vnknowē, but alsoe the worke it selfe lost; And what if it bee? were not those of Varroes workes, which wee have not as learned as the worke of Floccus which wee have? Of *Tullie*, of *Polibius*, of *Livie*, *Deo*, *Tacitus*, of infinite writers more, are there not as good bookes lost, as ther are extrāt The same hath fallen out in Eclesiastical authors specially in councels whereof a great meany are not to befound: as they who by occasiō of Canons cited thence in the Decrees and Decretals, have dilligently searched through the chiefest liberaries of Europe, doe note. And a certayne famous and auncient Councel of Ments beeing commēded & praised above the other, by *Tretenius* & *Surius*, who wisheth he might have gotten it to be publyshed; sheweth that soome extant, are not too bee compared with some that are lost, wherefore *Bellarmins* former exception to the Councell that it is not extant, no nor the name of it, was not worth the nameing. The latter that the Councells Canons meant of Marriage after the former wives death: is lyke too prove as false as the profe thereof is frivolous and fond. For mthese

acep 5. Burchad, lib. 17.

b Quedam.

c Cardinal Pole Sadolet contarep er const. delect card.

d dominicus Flaccus Florētinus sic sett forth vnder the nā of L. Fēesteila. i the writers of the Notes on Gregories edition.

mquedam 32

n c. Hist vero eadem quæ

are the words of the Canon: *A certaine woman laye with her husbands brother: it is decreed the adulterers shall never bee Married: but lawfull Marriage shalbe graunted vnto him, whose wife the vilenie was wrought with.*

o quod propo fuisti, cap. 9

Which words are well expounded (saith *Bellarmin.*) by the Doctors, and their meaning gathered out of the like Canon following a litle after: wherein it is ordeined, that *When the adulterous wife is deceassed, her man may marrie whom hee will; but her selfe the aldultresse may not marrie at all, no not her husband being dead. Gratian.* in deed, and the *Glosse*-writers on him (the Doctores meant by *Bellarmin.*) doth them wrong in saying they expound it rightly. For this Canon following, out of

p Bebl, sanct lib. 4 cap. 8 t vnder the nãe of Syuadus

which they gather that to be the meaning, being a Canon of I know not what *Gregory*, at least Fathered on him, doth no more prove it thẽ

q Ex Parte extra de spõs et matrim,

o the above alleaged Canon of *Gregory* the third permitting marriage to the innocent partye while the other lived, doth inferre the cõtrarie. And the Councells words mentioning expresely the Innocent parties freedom & liberty to marry, which had bene superfluous if they meãt of marriage after the others death: make it most probable that the Councell vttered them with the same meaning, wherewith others vttered the like, as hath bene shewed. Herevnto the indgement of p *Sixtus Senensis* doth add no small weight, sith he albeit striving to weaken

1e Veniens 1 de eo qui

the strength & cutt the sinewes of it, acknowledgeth not withstãding that it was of one minde with the councell of Tribur. So was Pope *Alexander* the third too, some tyme, though *Bell.* alleage p him as of another mynde. But let *Bellarmin* say whether hee had two myndes & erred in on of them: seing it is certaine hee p was of this minde once, vnlesse hee wrote against his minde. For whereas a man that had wedded a wife, did, before hee entred the marriagebed with her, enter her mothers bed: Pope *Alexander* sayde, that hee doing some pennance might bee dispensed with to marrie another wife. Here the Popes fa-

, Prane. Victoria relect 4 ver hb. 1. et. 2

vour towards the offender; doth savour of that which p hath bene misliked in papall dispensations. But hee that graunted thus much to the incestuous husband, would (I trust) have graunted it to the guiltlesse wife: as t hee did also to her that had this iniurie. The onely evasion whereto a *Bellarminian* might by his Maisters example have recourse,

h E Pist Alex aud. tore ad d 10. eisc Append Cone. Lateran.

is that the Canonists expound the Popes words not of a wife but of a spouse, and her espoused also by wordes of the tyme to come, not of the tyme present.

Which exposition may seeme the more probable, because the Popes wordes sett downe in the Decretalls geve her the name of spouse without signification that the mã had wedded her. But hereof Frier *Raymund* who compiled & clipped the Decretalls must beare the blame,

as

as [v] *Antonius Contius* a learned Lawier of their owne hath well obserued. For the Popes Epistle which is extant whole in the [z] Tomes of Councels, declareth that the woman was the mans wedded wife, though he did forbeare her companie a while. No remedie therefore but it must be graunted, that in this matter pope *Alexander* the third subscribed to the former Councels. Now by all the rest whom I aleaged there is none excepted against by a nnye Papist, for ought that I know, or as I thinke will bee. For, *Lactantius* first avoucheth, soe the lawfulnes of putting away a mans wife for adulterie even with intent to marry another that both [a] *Couarruvius* & [a] *Dominicus Soto* graut him to be cleare from it. Next [b] toyching the authours mentioned by *Gratian* as holding the same for one kinde of adulterie: who doubted but there were certaine so persuaded, when such an adversarie confesseth it, Then for Pope *Celestine* the thirde, sith [c] a Pope saith he thought that a man or wife might lawfully forsake their parteners in wedlocke for hæresie, and marry others: I see not how the Papists may denye hee thought it lawful for adulterie, more then I shewed they might of *Gregorie* the third. And albeit [d] *Zacharie* Bishop of Chrysopolis, may seeme to shew rather what other mens opinion was then what his owne; yet it is apparant by this manner of handeling that hee ioyned with *Ambrose* therein, whose words hee citeth, and fenseth them against autorities, that might bee opposed, As for the Bishop of Burgos, *Paul* commended heighly by learned mē for learning, she saith that it is manyfest by *Christs* doctrine, that whoesoever putteth away his wife for whoredom, commiteth not adulterye though he marry another. *Nauantus* who was present at the counsell of Trent, a Bishop of principall name and price a mong them, affirmeth as directly that a wife being loosed from her husband by death or by divorcement, is not an adulteresse if shee marrie another. Too conclude *Bellarmin* confesseth that *Erasmus*, *Caietan*, *Catharinus*, *Luther*, *Melancton*, *Bucer Calvin*, *Brentius*, *Kemnitius*, *Peeter Martyr*, and in a worde all *Lutherans* & *Calvinists* (as it pleaseth this Roman *Tertullus* to name vs poore [i] *Nazarens*) agree that our Saviour doth allow marriage after divorcement for adulterie. Howbeit fearing much what a deadly wounnde hee might geve his cause by graunting that *Erasmus*, *Caietan*, *Catharinus* three soe learned man, and two of them such pillars of the Romish Church a Carpinall and an Arch bishop agree in this poynt with *Lutherens* & *Calvinists*: he addeth that those three differ much frō these heritiques (meaning By heritiques the *Nazarens* I speake of, 7, whose ring-leader was *Prul*) in as much as they submitt theselves expressely to the churches iudgement. And because the church (saith hee) hath now

v. Anton. de varijs de cretal et in dirsat. Gregorij ucni.
z. Appid Cōc
a Dlomar. Thirut lib 6. cap 23.
z Epit in lib 4 Decretal. part 1. cap. 7 D. 6.
a in 4 sent. dist. 26. act 6
b. cl Quadam sententiam 32 q 7. Sed l lud.
c Innocentius b. De cōcord Evāg cad. 102, e in epist. ad tot cap. 7.
d Anst Steuc. recōgn ver Tebr in Gen 37 Sixt senes lib. 4.
e Addit. 2 ad lyt in Ma 19 h Enātar in epist ab Rom cap. 7.
i Acti 24. 5
7 Tertullus Nazoraeum aiens seos Protestatis
8 reliquo tūmlā The
9 Vbidue testarū esse veru

now opened her minde moſt evidently, as appeareth by the Councel of Trent the 24 ſeſſion the 7 Canon, where all who thinke the band of marriage maye be looſed for any cauſe are acurſed: therfor it ſeemeth that thoſe thre alſo, & chiefly the two later, muſt be thought no other wiſe minded in this matter, thē [8] all the reſt of the Catho. Divines are & have bene with great agreemet & cōſent, which diſpute of *Bell.* if it have ſufficiē groūd & ſtrength of reaſō *Eraſ.* muſt be counted a catholique in al things For [o] in al his writting he ſubmitteth himſelf to the churches iudgemēt. Thē why doth [k] *Bell.* cal him a [l] demie Chriſtiā, & enrol his nāe amōg ſectaries & hertiques? what are the Fathers of the Coūcel of Trēt Demie-chriſtiās, ſectaries, heretiques; they are (by *Bell.* logique) of one minde with *Eraſmus*. Moreover S. *Auſtin* the cheefeſt mā of *Bell.* ſide in this queſtiō muſt be counted ours by the ſame logique. For [m] he taught expreſſely that himſelf; yea any byſhop evē S. *Cipriā*, yea [n] provincial Coūc. to, ſhould yeeld to the authority of a general Coun. & the 6 general Coū. graūted liberty of mariage after divorcemēt, as hath ben declared: wherfor if *Cuetā* muſt be thought no other wiſe mynded thē Papiſts are, becauſe that church whoſe iudgmēt he did ſubmitt himſelf to, defi ed ſo at Trēt a good while after his death: S. *Auſtin* muſt be thought no otherwiſe minded thē we are, becauſe our aſſertiō was cōfirmed likewiſe by a General Counc. whereto hee would haye yeelded. Chiefly ſith of liklyhood he would have more eaſily yeelded therunto, thē *Caietan* to his churches becauſe [u] *Cuetā* ſheweth hee was ſtiffe in holding faſt his owne opiniō, [t] whē for feare of churchmē he durſt not ſay all that he thought; & in this very point, though [o] ſubmitting himſelf to the See of Rōe as wel as to the church, [p] he eludeth decrees of [q] popes that make againſt him, ſo reſolut he was in it, S. *Auſtin* cōtrariwiſe vſed very modeſtly & willingly to retract things that he had writtē, evē whē he lighted on ought in an heretike that ſeemed better & truer, & this point he thought [r] ſo darke in the Scripturs, & hard to bediſcerned, that his opinion was not hard to be removed; if he had ſeē ſtrōger reaſon broght againſt it, or greater authority. Now if S *Auſtin* come over to our ſide by that quirck of *Bell.* a band of *Bellar.* witneſſes is like to come with him namly the councel of Melevis & Affrique, [v] which he was preſent at, & ſwaied much with: perhaps *Primaſius* alſo (were he *Auſtins* ſchōlar) & *Bede* with a nūber of *Canonſts*, & ſchool men, who folowed moſt S. *Auſtin*. But *Bella.* will never reſigne all theſe vnto vs, to gaine the other three from vs. For (as our Bee-hive ſaith) *Men live not by loſſes*. He muſt ſuffer therefore *Eraſmus*, & *Caietan*, & *Catharinus* ſpecially, who (beſide the [z] place that *Bellarmin* hath quoted) doth avouch the matter in a treatiſe written purpoſely there of, more thr ough

Ibiden in. 1. or. 7. ad hunc Ipſum locum em per inquit illabefactā ecclē. catholicæ nūditio.

[u] Councel milevit cum 27. carthag. ſent. Prefat. 7.

[z] Annot in cement cajetan. lib. 5.

throughly & exactly then *Erasmus* or *Caietan*; *Bellarmin* I say must suffer them to be counted of that minde which they were of, while themselves lived; not cavil as if they were of that which peradventure they would have bene + had they not died before the Councell of Trent taught so, Vnlesse he thinke (which hee may by as good reason that whreas they were deceased above x. yeares yer the Cou. of Trent made that new canon, wee ought to count them alive all that while, because they did submitt theselves to Physitians & would have lieved perhaps till then, had arte bene able to cure diseases. How much more agreablye to siegelnes & truth doe *Sixtus*, *Conarruvias*, & *Domenicus Soto* acknowledge (the two former touching *Catharinus* the last for *Erasmus*, all concerning *Caietan*) that in this question of marriage agayne after divorcement for adulterie, their doctrine is the same with those auncient Fathers whom our yonger teachers of the reformed churches follow. And thus if I should enter into the comparison of Divines on both sides: first, for the number it is more thē likely, that wee prevayle much, For all whom *Bellarmin* and the Pamphletter after him doe muster out of the west, I meane whom they claime iustly, not who either say against them as *Tertullian*, or not with them as *Scotus*, all the resore whom they muster so out of the West, are *Ierom* the Conncels of Melvis and Affrique *Innocentius* the firste *Austin*, *Paumasius*, *Isiodore*, *Bede*, the Councell of Friouli and Nantes, *Anselmus*, Pope *Alexander* & *Innocentius* the third, *Thomas Bonaventure*, *Durand*; and other Scholemen, Pope *Eugenius* with his florentines & the Councel of Trnt

Epitaph. Fabi. et Adman.

Which though *Gratian*, *Lombard* and whomsoever hee might byll, were added to them yet ours out of the West alone perhaps would match them? What if the North, the South, whence *Bellar.* hath none? what if the East, whence he hath two or three at the moste for hundreds of ours be ioyned thereto? Then for Quality came the worde of God out *from you*? (saith *Paule* to Corinthians, or *Came to you onely*? Meaning that they ought to reverence the iudgment of other christian Churches being more thē they were: but of those cheefly & first (as he placeth them) from whom the Gospel came firste. Now the Gospel came first out of the East: whose consent we have in a manner generally, and as we have the first in Contrey, so in time the auncienteste and eldest: our two firste Councels in Spaine, and in Fraūce elder an hundred years then their two in Affrique, our next farre elder yet then their next; and so unto the laste: yet, for several Fathers, auncient on both sides, there are more with us in the four or five or sixe formoste ages then there are with them.

† I can gaude. antus de divortijs.

Sent. lib. 4. dist. 33.

Of soūdnes in Doctrine, of learning, of vertue, of cōstācie, of cōseut, it

e 1. Tim. 3. & Tim 2. 24

is hard to ſpeake by way of com pariſon whether excelleth other.

Saving that for gentlenes and meekenes, a ſpecial ornament of biſhops, weigh both parties together, and ours ſurpaſſe our adverſaries.

f Augar? cur Savi our alſo who ſaythit

Amongſt whom the Councel of Trent accurſeth all ſuch as ſaye that they doe erre in this poynt, into which outrage nō of ours hath brokē againſt the cotrary minded. As for other graces of the holye Ghoſt, though *Bellarmin* have noted ſundrie ſpotts and blemiſhes whereby ſome of ours are touched in credit, and their authoritye is impeached let him caſt his eyes uppon his owne witneſſes without pertirlity, and he ſhal find that we have a *Rowland* for *his Oliver*. For where he telleth us that *Ambroſe* did erre in yealding greater freedom to men thē to women; *Luther* & *Bucer* in graunting ſecond marriage afer divorcement for moe cauſes then whordō, pope *Gregory* the ſame for ſicknes: *Celeſtine* the ſame for hærſie: wee tel him againe that *Clemens* Alexandrinus *Athenagoras*, *Origen* (if he be out of theirs) *Ierom* and *Bede* did errelikwiſe in ſpeaking againſt al ſecōd marriages, & *Clemens* with *Origen* in ſundrie wighty poynts of faith. Where he telleth us that *Lactantius* fel into a number of errours, as being more ſkilful in *Tully* then in the ſcriptures, we tell him againe that ſome of the ſcholemen were, though not more ſkilfull in *Tully*, thē in the ſcriptures yet as vnſkilfull in the ſcriptures, as in *Tully*; & their graund-Maiſter the Maiſter of the ſentences is charged by themſelves with above a ſcore of errours.

d Bel. com cont. 3. li. b. 4 Cap. 12.

e Ibid. Ca. 14 fin the Place

g In Marc. C. 10.

h Did. cavat

Where he telleth us that *Luther* varieth from him ſelfe *Melancton* agreeth not with him, nor *Kemnitius* with either of them, becauſe *Luther* allawed divorement for moe cauſes afterward then at the firſte, & *Melancton* thinketh that both the divorced parties are free to marry *Kemnitius* that the innocēt onely, we tell him againe that niether doth Pope *Innocentius* the third agree with Pope *Alexander*, nor *Alexander* with him ſelfe nor neither of them with *Athenagoras*, ſeeinge *Athenagoras* condemneth ſecond marriage which the Popes allowe, though *Alexander* puniſhed one that bleſſed it; *Innocentius* checketh a decree of *Alex.* that deprived the Innocent party of his right becauſe the offendour had ſinned thus, or thus: *Alex.* whether in this decreel know not (for it is razed out of the Decretals) but in other extāt overthwarteth himſelf, as his wordes alleaged on both parties, for *Bellarmin* & for us do teſtefie. So *Bellarmins* obiections of humaine infirmetyes and wantes not withſtanding, they which are of our ſide excell in eſtemation thoſe which are of his, for diverſe circumſtaunces & reſpectes.

& lib. 6. Annot. 119.

i Sigt ſenēſ cad, vlt.

k Tom 1 contr Melch canus m. Articulis in quibus

n cum ſecūd umcapella nū extca de

p Cloſſin d.c

q Tertul chrō mat Hilar pō lem conc Ven ęr &c

And (the moſte important reſpecte of all others) the grounde whereuppon ours doe buyld- theyr Doctrine, is the plaine evidence aud expreſſe teſtemonye af our Savioure Chriſte, excepting

matth. 19. 7

whore-

whordō namely out of the cruſes for which he denieth a man may put away his wife & marrie another. Cōtrarie wiſe the ground that our aduerſaries buyld on is their owne cōceit, not able to ſtād without violēt wreſting, ſuppreſſing, or corrupting of *Chriſts* exception the proofe where of is ſeene in three the moſt peremtorie mē for his matter, & beſt accounted of among thē, *Innocentius* the firſt, the 3. & *Thom.* of Aquin. *Thom.* in that he anſwereth that *Chriſts* exceptiō pertaineth to the put ting away of the wife, & not to the marring of another, alſo *Innoc.* the firſt, in that he omitteth the exceptiō quite, & citeth *Chriſts* words thus *Whoſo putteth away his wife for whordom, & marrieth another doth commit adulterie* Innoc. the third, in that he depraveth & altereth the exceptiō, affirming that *Chriſt ſayth whoſo ever putteth away his wife for whordom, & marrieth another, doth commit adultery. Whoſoever putteth away his wife for whordom.* A notable corruption by ſ. raping out of the ſentence 8 the exceptive particle having the force of a negative, to chāge for this point into an affirmative: & ſo eaſily to be corrupted by the text of the Scriptur it ſelf, that I doubted whether it were not the Priuters or bookewriters errour, vntyll I perceiued that al the printed copies, which I could get the ſight of, did agree there in, even the newe one to *Gre.* the thirteenth conferred with all the written copies in the Popes liberarie, beſide many other, & corected by thē. But of ſuch buyldings ſuch muſt be the groūd wrokes, or equall vnto ſuch in force; An vntruth will never cleav vnto the truth by other kinde of morter. in probabillity therefore it is to be preſumed that not only the greater parte of the fathers but the better alſo, & they whoſe groundes are ſurer doe maintayne our doctrine. So the weapō which *Bell* draweth out of their ſheath againſt vs, doth bēd backe & turne the poynt againſt himſelf: and the wound it may geve, it can not pearce ſo deepe as that *which is ſharper then any two edged ſwoorde*, but the wound it may geve, it geveth to his owne cauſe. Howbeit if any ſhall concive otherwiſe hereof for the number & quality of the witneſſes, as ſome peradventure will & may by reaſon of broken coniectures, which the variety of circumſtances yeeldeth, yet no man will (I truſt) ſure no man of modeſtye & ſence can denie, but the mayn & principall poynt I hadd to ſhewe, namly *that the Fathers cōſēt not all in one for the Papiſts doctrine*, is ſhewed to their ſhāe, whoſe face & conſciēce ſerved them to avouch the contrary. Wherfore ſith our aduerſaries doe graūt that the Fathers have not ſtrēgth enough to prove a point in qnſtiō vnleſſe they all conſēt about it: *Bell*, with his Pamphletter muſt conſequently graūt, that their curſing Trēt aſſertiō in this point cānot be proved by Fathers & ſo the ſecōd ſtaffe which they have framed thēſelves to leane vpon, is like to that *broken ſtaff of reed, Egipt, whervpon* (ſaith the ſcriptur) *if a man leane, it will goe into his hand and pearce it.*

7 Quēcūque dimiſerit vxorē ſuam obſornicationem.

8 Niſi ei mē orme.

The Fourth Chapter.

The Conceits of reason, vrged last against us, are ouersights proceeding frō darkenes not from light, and Reason it selfe, dispelling the Mist of Popish probabilities, geveth cleare Testimony with the truth of Christ.

The third and last obiection, whereuppon the Iesuit & his schollar stand, is conceit of reason: devided into five brāches as it were, or Rivers issuing from on spring. The water wherof how unlike it is to the water of *Siloth*, and favoring of that puddle of which the Romā deputy *Gallo* did draw when having undertake to do according to reason he spake prophanely of Religion, and suffered one to be wrongsfully vexed for regarding it, as if to doe iustice in that case were against reasō, I leave it to be iudged & considered by them who saye that our reason is naturally darke, and leadeth her wisemen into sottish follies, neither can discern the things which are of God til it be lightned with his spirite. For although the Papists have some glimse of light and see more then the Heathēs, as the pharesies did whose words (I am afride) they will use likewise: *are wee also blinde?* yet as the pharesies were ouer seene fowly in may argumēts grounded upon reson, so the papists may bee. And that they not onely may be overseene, but are in the reasones which their puddle-water hath yealded to *Bell.* ceasterns in this point the bēames of reason lightned from above shall open and discrie; lett such as love not darkenes more thin light bee iudges. For he reason eth first thus: *The Marriage of the faithful is a signe of Christs coniunction with the Church*, as S. Paul teacheth. *But that coniunction is indissoluble, and cannot be loosed, The bande of Marriage is therefore indissoluble too.*

1. Argumentū gatiōne pj-titum.

As if a rebell should say, *The ioyning of the head with the body in man resembleth the coniunction of Christ with the Church* as S. Paul teachth. But *Christ and the Church can never be parted; therefore the head may never bee cut from the body.* A happy conclusion for traitors, if it were true. But if it be falfe where then is *Bellarmin* reason? which wil take the greater overthrow by this because looke how Christ is the head of the Church, semblably the husband is the wives head. So that notwithstāding the similitud of Christs headship, the ioint wherby a traitors heade is knit to his body may feele the axe of iustice, as *Bell.* will grant: the marriage band that coupleth a man to an adulterous wife may be loosed by the like reason, notwithstanding marriage is a signe of Christs coniunction with the Church. And if this suffice not to make him acknowledge the loosnes and fondnes of his Sophisticall sylogisme, let him observe farder that the seperation which them selves allow in case of adultery

dultery is condemned by it. For Christ doth continue with his church alway, & cherisheth her for ever with his spirit of comfort, & is so farre from dispoylinge her of her owne wealth, if she had any, that of his giftes & graces still he leaveth with her. Now the papists teach that a man may lawfuly with drawe himself from ever dwellinge with his wife, and from yealding husband-like love & duty to her, yea may still withould her owne dowery from her if she be an adultéresse. Which doctrine how could *Bell.* cleanse from staine of errour, if some whoore of Rome should touch it with this reason, *The marriage of the faithfull is a signe of Christs conunction with the Church*, as Paul teacheth *but Christ doth stil assist relieve, & enrich the Church with his graces: therefore must the husband dwel still with his wife & finde her maintenance & wealth*. Woulde he say the Councel of Trent accuseth al who make such Iesuitical silogisimes & sophismes against their sacred cánon. Certainely the harlots reason must be good unlesse the Iesuits be naught. But he goeth ouwaard and addeth that *albeit some partes of the church, te weet the faithfull folke doe commit spiritual whoredom now and then, and make a divorcement yet is not lawfull for them to change their God*. What a speach is this? As who would say, our Saviour could déserve at our hands that we should forsake him, and get our selves a newe bridgrom. *Neither doth God caste them soe away* (saith Bellarmin) *that he wil not be reconciled, nay he doth exhort to reconcilement stil stil*? To whom then sware he, *they should not enter into his rest*? What were they whose carke ises sel in the wildernes? whéce came the mā of God who wiled thē that cómit Idolatrey to be slaine? where lived the prophet who lates *Thou destroyest al them that goe a whoring from thee*: The Israelits whom God did shut out of the promisede laude, of whom he tooke many thousands away by sundry plagues, to whō the law speaketh as being under the lawe, did they not professe that faith & use thos Sacramēts which al that doe are faithfull folke & partes of the Church in *Bell.* phrase & meaning? I graūt that God offereth to be reconciled some times to such offendors, & waiteth in mercie long for their amēdement. Which if it be apattern for us to follow herin, I say, if it be, for God gave time of repētāce to *Joab* a wilful murderer, whō the magistrat shold have put to death presently: God gave time of repentāce to Idolatrous wives of the Iewes, whō their husbāds ought not to have spared so: if therefore Gods actiō herein be set doūe for our imitatiō, the man that can cōteine, & be without a wife, as God without our service, may like wise in mercie waite for her repentance & when he perceiveth it to be be unfained, take her againe to be his wife. But he who can not or wil not render such kindnes for such unkindnes and wickednes, may in iustice alsoe put her soe away that noe place or hope of reconcilement bee left her, as *Bellarmins* owne

ſBellar de matrium ſer. facre Cap. 14. citat

xC. tim matrim. ſacram. ca. 41

reason in this similitude teacheth. For God is not bound to give vnto prophane dispisers of his grace & breakers of his covenant place of repentãce & reconciliation: Nay he may in iustice absolutely denye it them, & oftentyms doth as the examples of *Cain* of *Esau*, of *Corah*, *Dathan* and *Abiram*, of *Zimri*, of *Acan*, of *Ananias* & *Saphira*, of infinit other, that have either presently dyed in their sinnes. or had sentence of death pronounced irrevocably against thẽ, doe argue. wherfor whẽ *Bell*, cõcludeth this reso with sayin that *S. Austin* vrgeth it greatly in his book of the *Good of marriag*; he dealeth as Cooks do in larding leane meate to give that a relish which of it self woul be vnsavoury, Though evẽ for the lard to perhaps it agreeth not half so wel herwith, as this Italiã cook would have vs think it doth, For why did not S. *Austin* vrge the same likewise in his bookes of adulterous marriages writtẽ afterward & purposely maintaining this Point against *Politian* who gainsaied him in it? was it because he saw that he had vrged it more then it would bear wel? or that he perceived it wonld not hould against an adversarye: though without an adversarie it were a pretie allusiõ? At least whatsoever mẽ deem of the lard, the meat is naught questiõles: & such that the cook be cõtẽt to eate the driest morsel of it, yet must he needs graunt that it hath not tast, not as much as th white of an egg hath. For himself saith that marriag betokeneth & signifieth *Christs* coniũcti on with the *faithful soule, as Thomas* & the Pope reach. *But Christs coniunctiõ with the faithful soule is not indissoluble*, as him self also saith: the band of marriage therfor (by his owne consequẽce) may be dissolved & loosed. And thus farr of his first sophisme.

De bone coniug cap. 7. 15

De adulter. cõiug. ad Pollentium.

Retract. lib 2. cap. 22.

Innocentius the third c. debitum extra de diga mis. 4 Injuria affice ertũs Proloc.

The next is that *if other marriage were lawful, the of-spring should be iniuried: for the childrẽ borne already* (saith he) *should be evill provided for, who should begin to have a stepfather in steed of a father, a stepmother in steed of a mother*. Wher hence the conclusiõ secretly inferred, to weet that *other marriage therfore is not lawful*, would very wel folow if his formost ground & propositiõ werr true, that *the childrẽ should be iniured therby*. For it is not lawful to deale iniuriously with any *he that doth wrong shal receive for it*, But how proveth *Bel*. that they should be iniuried? his reasõ ensueth. *for they should be evil provided for*, what? therfor? Is God vniust thẽ, who by taking mẽ out of this preset life, doth leave their wives widowes; & their children fatherless: both often destitute of help? *God forbid* (saith the Apostle) *els how shall God indg the world?* But the childeren should be endamaged therby, & that perhaps wil *Bell*, say was his meaning, wel, they should be endamaged & evil provided for. *Why? Because they should have a step father in steed of a father or step-mother in steed of a mother*. Then belike *the braũches cut of the Olivtre which was wild by nature & graffed cõtrari to nature*

in

in a right olive tree, are evil provided for & endaaged by it, For as when a gardenar asked why the hearbs which he set or sowed doe growe & shoot up so slowly, where weeds which the earth brought forth of her owne accord encreased a pace, *Æsop* said that it was because the earth is the weeds mother, and the hearbs steepe-mother: so the wild Olive tree was the mother that brought forth such brauches: the right Olive tree whereinto they were graffed, is their stestmother. *S. Paul*, who thought it better for vs of the Gētiles to be graffed so, thē to cōtinue as we were *the childrē of wrath by nature*: declareth that a Christiā whose wife being an infidel, an vnbelever, forsaketh him, is free to marry another. Which cōsidering that he had an eie to *the holly seede*, their offspring also) what letteth him to have done with this perswasion, that the children shold receive more good & bene fit by a beleeving step-mother then by an ūbeleeviug mother. Doubtlesse his care of having thē brought up in godlines, a thing that godly mothers do furder verye muche, and ungodely hinder, is argueat agnement that hee was of this minde. And the soune of *Catelyne*, whom that adulterous wretch his father murdered to compasse the more easily the liking of a woman whom he lusted after, hath left sufficient proofes that som having fathers are no better looked to for things of this life neither, thē they should of liklyhood, if in steed therof they had stepfathers. Wher for sith experiēce varifieth the same in mē which in wœmē, that when they have made shipwracke of their chastity, they wil not sticke at any wickednes: the argumēt that childrē shold be endamaged & evil provided for, because in steed of adulterours fathers or mothers, they should have stepfathers, stepmothers, chast, & honest, is worse provided for by *Bell*. thē he thought. But suppose it were good, & proved that the children should be endamaged how followeth the conclusion? *The childrē should be endamaged by marriag another: therefore the marriage is not lawful?* for by this reason a beleeving husband forsaken by his wife being an vnbelever, may not take another if he had children by the former. Nay no wife or husbād having any children may lawfully ever marry again either of them after the others death. And in deede by a law that *Charondas* made for his Thurian Cityzens, the men who did so were punished. And *Mar. Antonius*, an Emperour of Rome, because he was loath to wedd a step-mother to his children his wife being dead, kept a concubine. And S. *Jerom* speaking as the Catharists did, against second mariage, doth by de testation of a stepfarher dissuad a widowe from it. But the Papists hold agreeably to Scripture that the man is at liberty to marry in the Lord after the womans death, the woman after the mans: yea in life tyme also, if either of them being an infidel & vnbelever forsake the other being a Christiam, And *Bell*. acknowledgeth that

ó Adulterotū virgo do ſervi domū ſen Agamemnoa

they hold both theſe poynts, & ought to hold them *Bell.* ſhall therfor doe well to acknowledg that his ſtep-reaſen, which oppugneth both theſe poynts of ſound doctrine, ſavoureth of haereſie, neither maketh more for him againſt vs, then for the Catharists againſt the Catholique Fathers. Wherewith he may confeſſe to that he hath abuſed *Ambroſe* in affirming this to be his reaſon: & avouching him to ſay, that *the Father ought to pardō the Mothers fault for the childrens ſake.* For S. *Amb.* blaming the man, who puteth away his wife without cryme, and marrieth another, an adultereſſe by ſo marrying: miſlyketh that the childrē ſhould have ſuch a ſtepmother having ſuch a mother vnder whō they might be. And if the mother, being put away ſo, took another huſbād, who in this caſe were an adulterer: *S. Ambr* wiſheth the children to be vnder their father, not vnder ſuch a ſtep-father. And if the Father caſting out his wife ſo, caſt out his childrē with her: S. *Amb.* ſaith the children ſhould rather purchaſe pardom for their mothers fault at their fathers hands, then bee caſt out for her ſake. Wherin hee doth no more ſaye that the father ought to pardō the mothers adultery for the childrens ſake; then *Abraham* ſaid that *God* ought to forgive the Sodomites abhomination for *Lots* ſake, when he ſaid that the wicked ſhould rather be ſpared for the righteous, then the righteous ſhould bee deſtroied with the wicked. But here peradventure the Pamphletter will reply that al though *Bell.* author & argumēt (as himſelf obſerved, who there vpon cut *Bell.* (horter) prove not his intent to weete that another marriage is vnlawful: yet they prove ſuch marriage to be inconvenieur in reſpect of the childeren, to whom there riſeth hurt & diſcomodity by it, For anſwer whervnto & to the like reaſōs drawen by him & *Bell.* from other inconveniences, 7 things are ro be noted: al ſuch as our adverſaries themſelves muſt needs yeeld to, & yeelding therevnto ſhal ſet on fire their owne chaffe. The firſt that the man whoſe wife is an adultereſſe: may put her abſolutly away, for al his liftyme: nor is ever boūd to let her dwel with him again, no not though ſhe repent. Which point being plainly implied in our ſaviours anſwer to the Phariſes, *Bel.* avoucheth and maintaineth thence: agreably to the doctrin of his chiefeſt guids the Popes & *Thom.* of Aquine. The ſecond that if the woman cō tinue in her wickednes, without repentance & amendement, the man is by duty bound to put her away. *S. Mat.* reporteth, of the bleſſed virgin, that *when ſhe was found to be with child of the holy Ghoſt, before her huſband Joſeph & ſhe came together, Joſeph being a iuſt man, & not willing to make her a publicke example, was minded to put her away ſecretly.* Of which words importing that iuſtice moved him to put her away, goodwill to doe it ſecretly, it ſeemeth to follow, that ſuch a woman as *Joſeph* miſdeemed her to be, to weet an adulrereſſe, cānot be kept without ſinne, whether ſhe repent or no. And *Cornelius Janſenius* a learned buſhop of the Papiſts

7 Dimitit uxorē quaſi jure ſine crimine.

e De Matrim. Sacram lib 14. c. gandemus. extra de conuerſ coniugat

graunteth herevpō, that it was so in the old Testament. But in the new Testament, he saith, if she repent she may bee kept with out sinne: acknowledging that she may not in the new Test. neither vnles she repēt. Whervnto the Canonists and Schoolemen doe accord; expounding a sentence cited by many Fathers out of the Prov. of *Salo. He that keepeth an adultereße, is a fonle & a wicked mā*; a sentence found in the Greeke text of the Prov. albeit not expressed out of the Hebrue Fountaine, but added by the Seventie Interpreters, or other, perhaps to shew that *Salo.* commending a wife, did meane a chast wife in their Iudgment, but added in the Greeke, & thence translated also into the commo Latin edition called S. *Jeroms*, soe that it goet for Scripture with Papists by their Trent Canon; this sentence I say, & the Canons of the Fathers that vrge it vndiSinctly against whosoever kepeth an adultereße, whether repentant or vnrepentant, in like sorte as the Civill Law condemned all such, the Canonists & Schoolmē distinguish & expound of such as kepe adultereßes, which doe nor repent & amend their lives. Now graunting that a man may kepe an adultereße in matrimony if shee repent, or being divorced from her, may take her again: yet (which is the third point) he may not doe it often least impunitie encrease inequitie. And this is agred on by the same pillars of the Church of Rome, the Canō ists & Schoolemen, *Hermes* out of whom the Maister of the sentences aleageth & avoucheth it, meant (as his reason brought to prove it argueth) that the man may take her so againe but once. Which doctrine the Papists cā make Canonicall if they list, vnlesse *Stapleton* lie, who saith their Catholique Church at this present may add to the Catalogue of Canonicall Scriptures that book of *Hermes*, writtē in the Apostels tyme by *S. Pauls* schollar, not only cited much but commended to by many & most auncient Fathers, *Clemens, Ireneus, Origen, Athanasius, Eusebius, & Jerom*. At least the chiefest part of the Canon Law compiled by the direction and ratified by the authority of Pope *Gregory* the ninth, setting downe the verie same out of a Councel that *Peter Lombard* out of *Hermes*: the Papists though they will not (I trow) be of *Stapletons* minde for *Hermes* booke, yet may think it likly that the Coūcel & Pope approved his meaning in this point. Chiefly sith *Panormitan*, the flouer of the Canonists having noted on it that one offending often must not be pardoned, because *sinnes vnpunished doe becō examples*, citeth an excelēt proof & light therof a lawe of wort hy Emperors, *Valentinianus, Theodosius, & Arcadius*: who grauting a generall pardon for smaler trespasses extended it to nō cōmitted oftner thē once; accoūting such vnworthy of their Princelie favour, as grew by their former forgiveneße to a custom of sinning rather thē to amendemēt. But whether the *Papists* will iudge those *Christian Emperours* to have bene to strickt, & saie that adulterie deserveth pardon

Innocens tert lib 1. de contempt.

Sin libre S. quinque Decretalium

1 Liber qđi appellatur Pastbalis, a Poetry phus dist. 15

pardon oftener then lesses faults with them, or whether they thinke it sufficient to pardon on so great a crime, which the Emprours except by name out of their pardon, & willed it to be punished euen the first time: The papists doe agree that a husband must not forgeve it to his wife often. The fourth thing to be noted is, that a woman being put a waye so, doth loose her dowry too by lawe. Which punishmēt as God hath threatned by his law to men that goe awhoreing frō him, though they have not any dowry of their owne neither, but of his gift: so the Civil law hath inflicted it on adulterous wives, & the Cānon law in loo ser times also. The fifth, that many persons mistake the help prepared of God, and marry or doe worse: cōsidering that some cāot cōteine, as Pope *Gregory* noteth touching men S. *Ambrose* touching wōmen, the scripture touching both; some, though they could perhaps, yet sho ld hrut their bodies with sickues, & if they did, as philique & phylosophie teach; some though neither chastity nor health enforce them to marrie, yet need it for their state of living, as *Dominicus Soto* doth prove by certaine poore husband-men & labourers. The sixth, that if a man die & haue no sone, his inhetatā .e ought to come to his daughter by the lawe of *Moses* & if he have no daughter, it ought to come to his bretherē, & so fourth to the next kinsmā of his family. Vnto which ordinance: the lawes of al wel ordred stats & cōmon weals are, though in certaine circūstāces defferēt, yet in supstāce sutable. The seaventh, that it is sundry waies incōmodius for a child to be ūlawfuly begotten (as we tearme it) base-borne because both the ignōeny thereof is a blemish & that blemish breedeth basnes of courge; & baftards are not broght up so wel by their Parents as lawful children use to be: neither are they priveleged alike; & peferred to place pf publique government, or Benefite of inheritāce by lawes divine or humaine. And these things being weighed wel shew that *Bll.* reasōcorected by the pāphletter needeth a new corectiō: & if incōueniēces might decide our question which they canot doe for *many things are lawful that are not expediēt* but if they mihht decid it, they would swaie with us rather thē against us. For in case the man, burning with ielosie & rage which is unlawefull in this kinde of iniury or the woman being (as adultereresses comōly are) wicked, impius, once nanght & alwaies naught, hee wil not or may not keepe or take her againe, the childrē missing her, are destitute of a mother to looke to their education.

And then it were better for them that their Father tooke a seconde wife to breng thē up, as *Plato* thought. Wherin another man might have the like succesie that *Poris* (a gentlemā of Macedōia) had whose former wives childrē were brought up as carfuly by their stepmother

Authen. vtil. cest matret. a. viz. Quia vero plurim collat. 3.

Chrisost. in epi ad Hebrē. Hom. 29.

L. Generaliter. 8 pariosD. de Decurionibus

28.

owne children were. But if it fall not out with many as with him, & the children find more sharp and hard vsage at their step-mothers hands, who knoweth whether it may not turne to thir more good. Chiefly sith the tender indulgencē of Parents doth nourish wantō wiked nesse, in the sonnes of *Eli*, ambition in *Adonia*, transgressions in whom not? and moderat severytie would restrayne the same as one who sayde hee had a cruel stepmother & a father, another who found like fault with his father & mother, both for feare restraing themselves from tricks of unthrifts did shew by their exāples. Here is a farder help to for the children benefite, that their father having their mothers whole dowry beside whatsoever the second wife bringeth is able to doe more for them Whereas contrary wise: if by means he cannot live single and unmarried he be constrained to keepe the adultéresse still or after seperation too receive her agrine: she is likely to geve her owne & her husbands goods to her lover, as *Messalina* did to *Silvio* or though she take gifts and rewards of him, to wast al in riot, as the whores of *Cattilinis* conf. dracie did. Moreover a woman that can have no sonnes, but daughters only by her husband, may have sonnes by another man, as *Hippocrates* sheweth, Which if the adultéresse have by her lover the daughters to whō the inheritance should come are defrauded of it, And if she have but daughters or yonger sonnes by him the bastards; presūed to be lawful childrē, defraud the lawful childrē of so much as thē selves get. The Cuckow hatcheth her eggs in other birds nests, & the eggs shee findeth of theirs, she devowreth, as *Arist.* writeth: or, as *Pline* sayth the birds that sitteth abroade vpon her owne eggs & the Cuckows when both theire yong are bred vp, liketh the Cuckows bird better then ther owne, and suffereth them to be devoured of him in her owne sight. A tearme in reproch drawne in many languages from the Cuckows name to note their calamity, or (if they suffer it wil lingly) dishouesty who receive other men into their bedds & foster vp their children, may bee a sufficient lesson for a father what consort & benefit his childrē are to looke for by having such a mother to feede & oversee them. Beside to omitt suspicion of bastardy, where by his children also may bee discouraged & shamed) himselfe shal be counted a bawd vnto his wife, & must (by a Canon of the C. of Nantes) doe seaven years dublique penance, & bee shut out al that while from the cōmunion, yea want the consort therof even at his death too, (by another Co.) if he be of the Clargi. And how can hee choose but live still in feare & anguish of minde, least hee add drunkennesse to thirst, & murder to adultery: I meane least shee serve him as *Clytamnestra* did *Agamemnon*, as *Livia* did *Drusus* as *Mr. Arden* did her husband? or if to avoyd these grifes of shame & daunger he put her quite away and resolve never too come againe in house with her he may incurre as great daunger or shame, or both may gre-

Salust. conjurat.

Vestigia viri alieni Colli. cine in lecto sunt teste Liv. lib. 2

ter, on the other side, by lack of anecessary help for his living, or by ſtate of body ſubiect to certein ſickneſſes or by incontinēci, wether consuming burnig him without remedy, or forcing him to danhable remedies of whors or worſe. Further more his wife, the adulterous mother, may be the boulder to ſinne, & to returne as *the dog to his vomitt, & the ſow waſhed to wallowing in the myer*, if ſhee know her huſband canot wāt a wife, & muſt have her or none, which perhaps moved that Gentlewoman of Rome to be the more licentious, whom her huſband found plaing the inceſtuous whore with their ſonne in law: after that ſhe had her huſband bound by oth that he would never ſeperate & divorce her frō hi, for to be free to marry another. And why may not ſhe live too in perpetuall heavineſſe & feare, leaſt her huſband being chaytied with ſuch neceſſitie ſhould ſeeke to get him: If libetty of marrying by making her away: There was a certayne Spāiard, whoſe wife drive out by him for her adultery & eſtſons reconciſed, was when ſhee offended againe, divorced from him by an Eccleſiaſtical Iudge, at his ſuite, & ſhutt into a monaſtery. The huſband ſaying after ward that he loved her, & that he a greed for feat to the divorcemēt, deſird that he might be recōciled to her, & ſhe reſtored to him, according to the Civill Law *Navarus* (as famous a man for ſkil in canon law, among the Papiſts, as *Bell.* for Divinity (being aſked his indgmēt what ſhould be done herin made anſwer, that the wife divorced in ſuch ſort, is not bonnd to returne againe unto her huſband, & that the huſbāds ſpeech of his affection muſt not be eaſily beleeved, becauſe he may fayne it to theintent to allure her ther by to dwell with him, that hee may ſlea or poyſon her, through deſire of marrying another wife, after her death. Of which thing (ſaith *Navarus*) there may ſuſpicion & conicture riſe of the circūſtances of her offēce; & his ſuite: chiefly in a man of the Spaniſh natiō, which is more inclined to bear ſmal love to their wivs yea being chaſt then to be reconciled to then being adultereſſes, ſpecially after the firſt tyme. Now though Spanjards chiefly be prone to worke ſuch feats of ſlayi g or poyſoning, as this man who knew thē (himſelf a Spanjard) witneſſeth yet an Italian *Marquis* who put to death his wife taken in adultery & married another declareth that not only Spanjards wil adventure to make their wives away, if finding then vnchaſt, they muſt have ſome & would have beter. Finally if the wife not able to have any children by her huſband, have ſome by an adulterer (for this may come to paſſe alſo) the bretheren, or the next of kinne to the huſband, ſhal looſe his inheritance: & that which they ought to enioy by right the adulterous ſeede will intercept & purloine. I let paſſe the publike harmes and diſcommoditis which by ſuch iniquities of private perſons were likely to a crew to the common weale.

Quam ſe nunquam repuliarurum ante iureva

Ex amore coutrahendi cum alio Poſt ſigi morte.

Theſe that I have touched ſuffice to overweigh our adverſaries rea-

alone, euen those alreadie borne whom *Bell.* expreſſely mentioneth & nameth: the hardnes of a ſtepfather or ſtepmother lighting on thē by the ſecond marriage, cannot counterpeiſe the loſſe in educatiō, wealth, inheritance, honour, which an adulterous parent bringeth. Beſide that the children to be borne afteward (as *Bell.* by naming thoſe already borne ſeemeth to confeſſe) ſhould be evil provided for: whoſe baſenes of birth and diſcommodities following it Proceeded from reſtraint of maring again after divorcemēt for adultery. Wherfore if we put with all in our ballance the detriments & harmes, that grow to the father, the mother, the brethren and kinſmen of the father I might ſay to the common weale too: the balance of our adverſaries wilbe tilted vp ſoe high by the weight of ours, as if it were lighter then vanity it ſelfe.

And thus by the way of weaknes of *Bell.* third & fourth reaſons is deſcryed & daunted. The third that *if the marriage wee treat of were lawful, a gapp would be opened to infinit divorcemēts, yea wrongful & iniuſt.* The fourth that *if the innocent party may marry, the nocent alſo may, who then ſhould gaine by his ſinne, & many would ſinne of purpoſe that they might marry others.* For as one of the wiſeſt, and beſt learned Popes *Pius* the ſaid, *that marriage was taken away from Prieſts for great cauſe, but ought to be reſtored to them for greater:* ſo may a iuditious & diſcrete Papiſt ſuppoſing theſe reaſons of *Bell.* to be ſound, ſay that marriage after devorcemēt for adulterie was takē away from men vppon many & good conſiderations: but ought to be reſtored vnto them again vpon more & better. Howbeit I muſt add thervnto that al though his reaſons be confuted ſufficiently with this ſuppoſall, lett them be tried alſo by the rules of reaſon, & it wil appeare they are a great deale ſounder in ſhew then in deede. For the divorcement of an adultereſſe from her husband is puniſhment of her ſinn: as hanging with vs is a puniſhmēt of theeves, of cutpurſes, & burning through the eare of rogues. So that *Bell.* reaſon concluding the marriage in queſtion to be vnlawful, becauſe a gap would be opened to infinite divorcemēts, is likeas if a libertine or vagabond ſhould ſay, that it is vnlawful for Iudges to do iuſtice on rogues, theeves, & cutpurſes, becauſe there would be opened a gap to infinitie hangings, & burnings through theeares, But ſome meu (ſayth *Bell.*) would ſowe debates, pick quarels, deviſe faulſe accuſations againſt their wives being innocent: & ſo a gap would be opened to wrongfull divorcemēts, not to divorcements only. What? muſt no offendor, no traytour, no blaſphemer then bee put to death becauſe many thouſands of innocent perſons, yea innocēcie it ſelf, have bene accuſed falſely, & putt to death wrongfullie? Or if *Bellar.* graunt, that al though ſome ſitting to iudge according to the law, doe manifeſt wrong to guiltleſſe men againſt law, yet muſt wicked miſcreants bee exequted by the *Magiſtrate* who beareth not the ſworde in vaine: hee graunteth it is cavilling can-

i platina de vitis pont iſi cum. in Pio. 2

k Innocent quart in c. ſi ſe uxerit, extra de adulc Hoſtiens ſum de adulc. §.

tiousnes & sophistrie to cõclud that mẽ divorced lawfullie maynot marry becauſe ſome would therfor de divorced vnlawfully: the greater was his fault to ſay that this reaſon is touched by S. *Ieroms* whoſe overſight he ſhould have done better to acknowledg & freindly to excuſe it by his haſte in writing, for *haſte is unadviſed & blinde* (as on ſaid wel) thẽ by his name to couutenance ſo weake a reaſon in it ſelf, ſo daungerous in cõſequence, which overtroweth all adminiſtring of *Iuſtice* & iudgmẽt. And ſith himſelf teacheth aginſt S. *Ieroms* iudgment that a man whoſe wiſe entiſeth him to hereſie, or to wicked deedes, may be divorced frõ her, becauſe although the wemans chaſtitie ſhould come thereby into hazard, yet leſſe is the perill & hurt of her adulterie then of his wickednes or hereſie, & the churche provideth rather for the innocent partie, then for the nocent: he might with a litle indifferencie & equitie of an vnpartial eye have ſeene that the church ſhould by the ſame reaſon allowe the innocent to marrie: at leaſt that S. *Ieroms* credit cannot preiudice vs more in the one point thẽ him in the other. True is that (I cannot denie) which he addeth true, moſt true & certaine, that the offendours ſhould gaine by their ſinne, if they might alſo marrie, as well as the innocẽt. They ſhould gaine in deede. But as *Dan.* ſaid vnto *Nabuch. the dreame be to them that hate the & the interpretation therof to thine enemies:* In like ſort may I ſay, *thus gaine be to the enemyes of God & of his Church.* For adulterers & adultereſſes doe gaine, firſt, diſhoneſty, defiling their bodies & ſoules with an heynous & deteſtable crime. Then hardely ſcape they, but they gaine beggary to: the mã if he be a whormõger, waſting all commonly as the prodigal child did; the woman loſing her dowry. Beſide they gaine infamy; a gaine of greater value them beggarry by much: for *a good name is to be choſen above great riches.* Laſt of al they gaine the heavi wrath of God, & his iuſt vengeance: they loſe the inhertãce of the kingdõ of Heaven, & purchaſe to themſelves the chaines of darknes for ever *Lucretia* a matrone of Rome in tyme of paganiſme, having ſuffered violence of *Sixtus Tarquinius*, when her huſbãd being ſent for to come vnto her 9 did aſke her *Is all well?* No quoth ſhe; for *what is well with a woman, her chaſtity being loſt?* yet ſhe if better iudgemẽt might have prevailed with her, had not loſt her chaſtity: her body being only defiled by force, her mind vndefiled. But now a Chriſtian man, if yet a Chriſtian; ſure a Ieſuit, the chiefeſt inſtructer of the youth of Rome and of the Romaniſts through al Chriſtendõ, doth mainteyn in print that *Lucretia*, nor ſhe I ſpake of but ſuch a *Lucretia* as the popes daughter was having loſt not onely chaſtety but alſo wealth, good name Gods favour, the promiſe both of this life & the life to come, yet if being put away from her huſband ſhe may take another, hath gained by her loſſes, becauſe ſhe may be married to her *Tarquinius*, & match a graceleſſe whore with a ſhameleſſe beaſt.

Commodum ex peccato ſuo adulter reportaret. dan. 4. 16

1 Lucretia nominatim reſpicere Thomas Aleman diſcipulus Pontanus.

As for the laſt of *Bell.* points of inconvenience that many would cõmit adulterie of purpoſe to the intent of being ſet free frõ their former wives, they might marie others: it may be ſome would, & I haue read of a woman that had a deſire to be beaten of her huſband: which ſhe found means alſo (as ſhe was wittie) to obtein, in ſo much that ſhee put it oft in practiſe, til having cruely beatẽ her at length he killed her The man who of purpoſe to get anew wife would commit adulterie, ſhould deſſire more ſtrips then that woman meant, & dre a death infinitely more grevous then ſhe did. But if as wiſe almoſt as ſhe was ſhould long after ſcourges: muſt they who deſerv by lawe to be whipped be denied it, becauſe a foole deſired it without deſert? The Romains had an auncient law that whoſoever did a man iniury, ſhould by way of puniſhmẽt paie a bout ſhilling. There was a lewd loſel, a yõthly harebrined Ruffian, who having wealth enough at wil & taking a deſire in giving honeſt men boxes on the eares, would walke up & down with a purſe full of ſhillings, which his ſlave attẽding an him did carry & giving on a boxe would bid his ſlave geve him a ſhilinge, another boxe & a ſhilling. What was it this caſe to be done for remedy? If *Bell.* had lived there & bene of the counſaile to the ſtate, wee ſee the adviſe he would geve: namly, that the amercimẽt ſhold be takẽ away becauſe ſome would doe men iniurie of pupoſe to fulfil their luſts with paing of a ſhilling or two. But the Romaine goverhours tok cõtrary order, to encreaſe the amercement, according to the diſcretion & arbitrement of Iudges: that evel diſpoſed perſons might be deterred from trel paſſing by ſharpnes of the puniſhment to be inflicted on them for it. Whoſe wiſdome therein it is to be wiſhed that Princes & Rulers remẽbering them ſelves to be ordained as *Dauid betymes to deſtroy all the wicked of the Lande*, would follow by encreaſing the puniſhment of adulterie: And then ſhould *Bell.* mouth be the ſooner ſtopped for his fourth reaſon. Which yet in the mean while doth no better prove that faithfull huſbands ſeperated from adulterous wives may not marry again, then uſerers & extorcionars procuring wealth by wicked & ungodly means doe prove that honeſt men may not enioy the goods which by lawfull trades & vertuous induſtrie they get.

gigis mund commeutar rerum, Muſcouitar.

Ap Iogen cap 6. Valeriue. Max. lib. 2.

The fifth & laſt is, that even a mong the Heathen too, where good orders flouriſhed, no divorces were made. *For no bill of divorcement was written at Rome, for the ſpace almoſt of ſix hundred yeares after the City was buylt: but after ward, good orders beeing overthrown, divorces alſo were brought in with other vices.* And this reaſon *Bellarmin* doth lard after his manner with *Tertullians* name, to ſeaſon it thereby & give it ſome verdure. But it is ſuch caraine that the lard is loſt, & all the cookery caſt away. For the firſt divorce which was made at Rõe, was of a chaſt wife put away by her huſbãd becauſe ſhe was barin, & did not bear him chil

A ſtra ſuket. ro vtorẽ tã ſi. ſiepret ẽdiſſes dhe tudicio mimme nera ru,

dré. Now to ſeperate huſbãds & wives for ſuch cauſes (we graũt) it is ũ lawful: our Savior allowing it for whordó only; The example therefore of the wel ordered Romãs is in vain aleaged out of *Tertul.* againſt us. But neither was there any divorce for adultery made above 500 years among thẽ, wil *Bell.* perhaps ſay. I graũt. And I wil help with a ſtrõger argumẽt: that among the Cains (a ſtate wel ordered too) 700 years did paſſe befor any divorcemẽt was made for adultery. For (as *Plutarch* writeth) there was no adultry cõmited by the ſpace of ſoe mauy yeares among thẽ. But among the Rõans (wil *Bell.* perhaps reply) it is likely that ſome was cõmitted within 500 years. True. But the huſband then might put his wife to death (being convicted firſt of adultery) without al publique iudgmẽt. So that if *Bell.* words have any force, this is theire effect. Among the heathen Romãs while good orders floriſhed, the womã that cõmitted adultery ſuffered death: afterward good orders being overthrowẽ, ſhe was divorced onely. But whether ſhee were put away by death or by divorcemẽt, the man might marry again. Wherfoore the exãple of the heathẽ Romãs, both wel & evel ordered, fight againſt the popiſh Romãs, & their Chãpion. Hereto the example of all other heathens, whoſe orders were but ſo good that they allowed ſecond marriage, may be adioyned. Which I do not ſo much affirme on myne owne knowledge (though for ought that I have read & remẽber it is true (as on *Bell.* ſecret cõfeſſiõ & ſilence a mã of greater reading, & having uſed many meus pains in ſearch of theſe things. Beſide, when chriſtiã faith came among the heathens the Emperours did puniſh adultery firſt by death: afterward *Iuſtinian* mittigating that lawe did pũiſh it by divorcement. But in both theſe caſes the man being ſevered from his adulterous wife is free to marry againe. *Bellarmins* ſpeech therfore touching wel ordered heathens came in evil ſeaſon, to raiſe both them & others yea Chriſtiãs too, againſt him. So his laſt reaſon, nay his reaſons all are growen to worſe plight, then were the ſeaven later kyne in *Pharaos* dream, the ſeauen poore, evil favored & lean fleſhede kyne, that devowred the the ſeavẽ former fatt well favoured & therby ſaved their life. For the thin carkeiſs dreamed of by *Bellarmin* have not ſtrength enough to overmaiſter & eat up the ſounde bodies of reaſons ſtanding ther againſt, but gaſping after them in vaine they dye with famin. And thus having proved that neither light of reſon, nor conſent of Fathers, nor authority of Scripture diſproveth our aſſertiõ.

ſ God deſtrũ d's, nuptys de repudy, 2. Cor. 4320.

I cõclude that the point demõſtrated at firſt by the word of truth the doctrine of Chriſt, *That a man having put away his wife for her adultery may lawfully marry another.*